

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

LA ALLIANCE FOR HUMAN RIGHTS,
et al.,

Plaintiffs,

v.

CITY OF LOS ANGELES, et al.,

Defendants.

Case No.

2:20CV02291

HEARING

DATE: Thursday, April 23, 2020

TIME: 10:03 a.m.

BEFORE: Honorable David O. Carter

LOCATION: Alexandria Hotel Ballroom

501 South Spring Street

Los Angeles, CA 90013

REPORTED BY: Austin Che, Notary Public

JOB No.: 4083654

A P P E A R A N C E S

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1 A P P E A R A N C E S (Cont'd.)

2 ON BEHALF OF ORANGE COUNTY CATHOLIC WORKER:

3 BROOKE WEITZMAN, ESQUIRE

4 Elder Law and Disability Rights Center

5 1535 East 17th Street

6 Santa Ana, CA 92705

7

8 ALSO PRESENT:

9 Isaac Shumot

10 Kevin Chun (Lawndale)

11 Tiffany J. Israel (Lawndale)

12 Robert Pullen-Miles (Lawndale)

13 Nathan Solis

14 Steven E. Braverman

15 Jonathan Sherin

16 Michele Martinez

17 Honorable Andre Birotte, Jr.

18 Shayla Myers, Cangress and LA Catholic Worker

19 Christina Miller, City of Los Angeles

20 Heidi Marston

21 Matt Umhofer

22 Carol Sobel (By telephone)

23 Matt Szabo

24 Kathryn Barger

25 Benjamin Oreskes, Los Angeles Times

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1 A P P E A R A N C E S (Cont'd.)

2 ALSO PRESENT:

3 Skip Miller (County)

4 Gary S. Kranker (Whittier)

5 Fernando Dutra (Whittier)

6 Honorable James Smith (By telephone)

7 Joe Buscaino

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I N D E X

WITNESS:

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RDX

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(None called.)

E X H I B I T S

NO.

DESCRIPTION

PAGE

(None marked.)

1 P R O C E E D I N G S

2 THE COURT: We're going to go into
3 session because it's 10:00. I'm not going to have you
4 identify yourselves at the present time because we have
5 so much business to conduct. But the first official
6 business of order for this court is to now appoint
7 Michele Martinez as a special master to The Court.
8 Judge Jim Smith -- are you on the line, Jim?

9 JUDGE SMITH: I am.

10 THE COURT: Okay. Judge Jim Smith has
11 been the special master. Behind the scenes Michele
12 Martinez has been working with The Court for over three
13 years, but chose to remain in the background. It's time
14 now that she's appointed as special master of The Court
15 along with Judge Smith. And, Andre, would you say good
16 morning also?

17 JUDGE BIROTTE: Good morning, everyone.
18 Sorry, I was running late. I had another hearing.

19 THE COURT: And Judge Andre Birotte is
20 here. And a number of other federal judges are involved
21 behind the scenes, but we tried to keep -- judges at the
22 moment.

23 All right. The second order of business
24 is that I'd like to call Fernando Dutra, councilmember,
25 but if you'd come on up. I don't know an appropriate

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1 place for you to speak. But if one of you could just
2 vacate, share, or somebody else. And in fact, why don't
3 you take my position because I've got a microphone.

4 MR. DUTRA: Okay.

5 THE COURT: Let me turn the floor over to
6 you.

7 MR. DUTRA: Thank you. Good morning,
8 everyone, and thank you, very much for being here this
9 morning and being part of what we consider to be
10 history. My name is Fernando Dutra and thank you for
11 being here this morning and being part of what we
12 consider to be history.

13 I'm the councilman for our little city in
14 the middle of Southern California called Whittier.
15 We're about 88,000 people, famous for Whittier College,
16 of course, and great trails. I'm also Immediate Past
17 President of the Gateway Cities Council of Governments,
18 which is 27 cities in the region, Bellflower, Lakewood,
19 Downey, so on and so forth, a lot of great cities.

20 For the last couple years, like everyone
21 else, we've been struggling with how we deal with our
22 homeless situation. Let me start by saying that we are
23 and have been a compassionate city. That's what we
24 start out as being. We've done so much for our homeless
25 between housing and programs, and I, of course, have

1 personally been involved as well.

2 So through the struggle, a few months
3 ago, actually about a year ago, Judge, if I recall, we
4 were introduced to Judge Carter and the Bellflower case.
5 We decided to do a deep dive, and through that analysis
6 and through the assistance of our law firm, we decided
7 the best thing for the city to do was to join this
8 settlement so that we could do two things.

9 It's real simple, right. The video is a
10 no-brainer. How do we, A, take care of our most
11 vulnerable, the homeless, because we are, A, a
12 compassionate city, and B, how do we enforce our laws so
13 that the other residents in our city feel safe, feel
14 secure, and have what I believe to be the most important
15 thing that we need right now, which is hope. Hope that
16 we can, in fact, get through this, right? And so we
17 felt that the case was something important for our city
18 to join, and we did.

19 I can tell you that last night we decided
20 to, we voted on being part of the case. We're going to
21 build -- now, in 2019, our point in time was 286 if I
22 recall. We have decided to -- well, we're going to
23 build a facility that will house approximately 140
24 homeless in the City of Whittier.

25 We've identified a site. We're moving

1 quickly, if you will, towards getting through the
2 process. That process will include going through the
3 CUP process, going through the building process, but we
4 have a great partner in place. And it's a partner that
5 we believe not only has the background, but they also
6 are compassionate towards the homeless. And so we feel
7 it's a great collaboration, but none of that could have
8 happened unless the Bellflower settlement would have
9 taken place.

10 I want to thank my neighbors, the City of
11 Bellflower, not quite neighbors, but they're friends of
12 ours, for taking the leadership role in the Bellflower
13 case. They're opening up next month, by the way, in
14 April. I highly recommend that if you can take the time
15 to go to the grand opening, please do so. We're going
16 to be there to support them as well.

17 And so this city, the City of Whittier,
18 we're very, very excited. We're thankful for the
19 opportunity to provide some leadership and to be out
20 ahead, if you will, of what we think is a storm of more
21 and more homelessness issues. Unfortunately, this
22 COVID-19 I think is going to present another opportunity
23 for more homelessness to take place. And so we think
24 this is a way of getting ahead of it, planting the seed,
25 if you will, of enforcement and of housing, and it does

1 both things.

2 Once again, it's real simple for us. It
3 allows us to do those two things, house those that are
4 most vulnerable and enforce our laws. So we're thankful
5 to Judge Carter for your leadership, and I appreciate
6 it.

7 THE COURT: -- the leadership -- for
8 those in the room, we have a 60 percent -- so if you add
9 it up -- on top of the 150 -- so if the -- very quickly
10 as I understand. And this gentleman will be -- in a
11 very short period of time. So I am going to call the
12 first -- district are you in --

13 MR. DUTRA: Absolutely. I can tell you
14 that we've had nothing but great leadership and a great
15 partnership with supervisor -- and she's an advocate on
16 both sides and someone to reach out to and have a
17 conversation at any time of the night. She does an
18 incredible job. And I'm not just -- I as a resident of
19 the City of Whittier appreciate the leadership of what
20 she does for the entirety of the city.

21 THE COURT: -- also thank Judge Smith who
22 worked tirelessly behind the scenes of this -- thank
23 you -- for hours and hours -- Saturday, yesterday -- I'm
24 always going to check with my colleague, Judge Andre
25 Birotte because he's working hand in hand with

1 Supervisor Kathryn Barger. And that's a wonderful
2 relationship -- I really appreciate your past
3 friendship. And so I'll always reach out to Judge
4 Birotte who -- on almost every occasion -- anything else
5 you'd like to add.

6 JUDGE BIROTTE: Nothing at this time.

7 THE COURT: Well, we're privileged, and
8 it's an honor to have -- present. And Joe, if you'd
9 come up and take my place so folks could see you.

10 MR. BUSCAINO: Yes, sir.

11 THE COURT: All right. This is -- we
12 have had a very good discussion. I have no idea --

13 MR. BUSCAINO: Thank you, Your Honor.
14 Well, I'm on deployment right now with LAPD, assigned to
15 the department operations center. And I'm reminded by
16 service by Judge Birotte, who's our former inspector
17 general. Good to see you, sir. And thank you, Judge
18 Carter for your guidance and leadership and direction.
19 I really appreciate the ongoing dialogue that we've had
20 between The Judge and Plaintiffs here.

21 I donned this uniform today, and it's
22 kind of come full circle. I'm reminded of the time when
23 I was a police officer, senior lead officer dealing with
24 quality of life concerns and issues in my hometown in
25 San Pedro. And I'm also reminded how many times that I

1 came in contact with the most vulnerable, the homeless
2 individuals lining the streets on Gaffey and Pacific
3 Avenue. For me, it was building a relationship and
4 showing the heart behind the badge and policing with
5 compassion.

6 Where oftentimes, yes, it was through the
7 booking process that I was able to connect these
8 individuals to services and ultimately housing. And it
9 was a reminder that I'm here in court in this ballroom,
10 which is in light of this pandemic, shows the sense of
11 urgency on solving homelessness. And as my mayor says,
12 we're tired of managing this problem. We are here to
13 solve it once and for all.

14 So I'm here to report we had a lengthy --
15 on behalf of my colleagues, President Nury Martinez and
16 my council colleagues. We had a lengthy marathon
17 meeting. In fact, it ended about 12 hours and 5 minutes
18 once -- last night, yes. We were in it for a full 12,
19 over 12 hours we should say. And we do have our city
20 attorney here, representative of -- Mr. Marcus, thanks,
21 Scott, for being here. And thank you for joining us
22 yesterday. I know it was a long night for all of us.

23 So ultimately, Your Honor and members who
24 have joined us, the direction that we came, unanimously
25 agreed upon just last night, was to authorize the city

1 attorney to begin negotiations with the plaintiffs that
2 would establish a district by district settlement
3 agreement. And that would include, very similar to
4 what's taking place, and my colleague in Whittier just
5 indicated, establish a target for the number of beds of
6 the unhoused, unsheltered rather, individuals in our
7 streets per district, establish a target for the number
8 of additional beds needed for each council district, and
9 establish the conditions under which the city can begin
10 enforcing quality of life ordinances.

11 Now, I want to just quickly speak on
12 that, Your Honor, if I may. Let me bring you back to
13 how far we've come and how the issue of balancing the
14 needs of cleaning our streets and making our public
15 spaces public, and at the same time moving on solutions
16 on emergency housing, on permanent supportive housing.

17 In 2001, the city was sued over LAMC
18 41.18(d), our anti-camping ordinance. And the city
19 agreed to stop the ordinance. In 2011, the City of LA
20 was sued over 56.11, and through mediation we agreed to
21 draft a new ordinance. In 2013, we were sued again over
22 85.02 and in response adopted a new ordinance. In 2018,
23 we were sued over 56.11 once again, and we agreed to
24 suspend enforcement on certain provisions in Skid Row.
25 And in 2019, the recent news just hit, the city was sued

1 over 56.11 again, and the judge has now issued a
2 temporary injunction preventing the enforcement of
3 certain provisions of 56.11 citywide.

4 What I told my colleagues last night and
5 what they agreed upon is we have to stop this endless
6 cycle of litigation. And we have this unique
7 opportunity to do so with Judge Carter and our
8 Plaintiffs. Many of you know the unconventional
9 leadership of Judge Carter.

10 We all collectively feel unanimously that
11 our best opportunity to get unhoused residents off the
12 street and into housing is now in front of the LA
13 Alliance, the plaintiffs, and the City of Los Angeles,
14 along with our county partners.

15 So working with the federal judge has
16 numerous advantages. Judge Carter can help us negotiate
17 settlement agreements for each of our respective
18 districts. Because we have come to realize that our
19 districts are cities within cities. And my district in
20 San Pedro or Wilmington is a hell of a lot different
21 than what's taking place in Echo Park or Pacoima or
22 Brentwood.

23 We know that Judge Carter, through his
24 guidance, can provide clarity on how many beds we need
25 to provide. He can compel other government agencies to

1 move forward on services. Ms. Barger, I know we were
2 talking about that, but I know we're going to continue
3 working that partnership with our county partners. He
4 can also define the conditions under which we can
5 enforce our quality of life laws as I indicated.

6 I'm proud that we have not one hotel up
7 and running with Project Turnkey in light of this COVID-
8 19 crisis, but we're in the midst right now of
9 negotiating our second hotel in San Pedro, by the way,
10 at the Vagabond Inn. I'm also proud in my district
11 we're moving on 300 emergency beds. A hundred beds are
12 up and running in lots. And the two bridge home sites
13 will be up and running in the next 60 days.

14 And I've also called for a state of
15 emergency last year, and it has taken us clearly a state
16 of emergency to move on these solutions. So I'll end it
17 with that. I do want to recognize Mayor Garcetti, my
18 partner, and my brother who has been leading on this,
19 advocating on this issue on solving this crisis.

20 And, of course, my 14 other colleagues of
21 mine who unanimously agreed that we need to move towards
22 settlement and do so in a way that we're focused
23 district by district and really proud of the effort
24 that's being made here. Your Honor.

25 THE COURT: So if you'll remain there a

1 moment. There's a whole team of effort -- Judge Birotte
2 is a -- Judge Gutierrez is waiting in the wings, and
3 another number of judges. Don't think that this is a
4 one-person effort. This is much more than that.

5 One of the things we realize -- without
6 some indication or guidance -- because -- if you're
7 going to -- something happens or a lawsuit, it's costly.
8 And two or three years from now, we'll be happy to tell
9 you what we did right or wrong, but the end result is
10 the guidance -- is very difficult. It's caused a lot of
11 inertia and a lot of questions. Because when we write,
12 we write with a lot of legal -- person's personal
13 possessions, a person's trash. And we'll get to that
14 later on today.

15 I was a young -- person on the street --
16 what's actual trash or what's personal possession. And
17 how we're going to get us through. How do we decide
18 when the goal is really not an arrest, but the goal
19 should be in a sense asking people to move into
20 shelters. By the way, the compliance with this is
21 astronomical. Let me repeat that.

22 Don't ever think that the homeless
23 population is adverse to moving into housing. They are
24 all willing to move in with -- but I want to thank you
25 for -- Joe, for your leadership early, so many other

1 people -- there's just a whole -- that there's
2 recognition that we in the Federal Court might be of
3 value to you -- as we try to reach a settlement --

4 MR. BUSCAINO: Yes, sir.

5 THE COURT: -- provide my opinion --
6 purposefully up to this point. But today I would like
7 to get -- to talk to -- we're going to really need your
8 guidance on this. One of the things we're hearing from
9 all types of people, we're just too large. We might
10 need to -- several, but each district is so unique, and
11 the -- to the individuals of this wonderful mosaic of
12 Los Angeles where Joe's problems are different. Paul's
13 problems are different than Mike's problems -- I think
14 regardless of how -- house by house and district by
15 district. That's what it would require.

16 MR. BUSCAINO: Your Honor, if I may add,
17 if it's in the interest of The Court to ensure that
18 myself or Nury Martinez, our council president, remains
19 on the ground in this room as part of the negotiations
20 because we know our city. We know our district the
21 best. And as we know with local leaders and know what
22 can -- we know our issues the best.

23 THE COURT: Joe, thank you, very much.

24 MR. BUSCAINO: Thank you, sir. Thank
25 you, sir.

1 THE COURT: The big --

2 MR. BUSCAINO: Thank you, sir. I'm going
3 to head back to the operations. So yes --

4 JUDGE BIROTTE: Good to see you.

5 THE COURT: I want to thank the mayor, of
6 course -- absolutely instrumental in -- all right. So
7 you know now that we have a settlement from Whittier --
8 you also should know that we were negotiating with a
9 significant number of other cities in different phases.
10 We had to stop those negotiations because of COVID-19.
11 We got a lot of negotiating done at the same time.

12 I'd like to pick up with negotiations
13 because time is -- and so with those individual cities
14 and chairman -- supervisors we have -- cities with Bell
15 Gardens today and read about the conflict allegedly
16 going on between the county and the city. On review --

17 JUDGE BIROTTE: No, I mean, just be aware
18 there are some issues between Bell Gardens and the City
19 of Lawndale. I think we have some representatives from
20 one or both proceedings here today. I'd just like to
21 hear from them, you know, at some point today.

22 THE COURT: And one of the pledges that
23 were made coming into the Federal Court initially on
24 behalf of The Court was that we're trying to keep the
25 litigation out of court. It's burdensome, time

1 consuming and our decision makers needed to be on the
2 frontend making decisions. We're trying to keep that
3 pledge to you, Supervisor Barger and -- so for whatever
4 time we're taking here, we're hoping for a non-lengthy
5 litigation to occur in this period of time -- so is Bell
6 Gardens not required, all voluntary -- Mayor of Bell
7 Gardens, there's no response --

8 MR. PULLEN-MILES: Yes, Your Honor.

9 THE COURT: I know you are -- have the
10 pleasure of speaking to you -- with Supervisor Barger.

11 MR. PULLEN-MILES: Thank you, Your Honor.
12 Thank you for allowing us to be here today on behalf of
13 the City of Lawndale, a small community in the South Bay
14 region, a community of approximately 32,000 people, two
15 square miles of territory with a modest, I say very
16 modest budget. A budget that is so modest that
17 providing services to homeless population, although we
18 have done our part in the City of Lawndale, it's putting
19 a strain towards pulling apart our budget.

20 When we heard about the project of the
21 county, obviously everyone was aware of it, being
22 televised -- and the state has made a mandate to provide
23 shelter in this crisis at this time. So we were aware
24 of that. What we were not aware of is that the county
25 was in negotiation with one of our hotels in our main

1 corridor in our city. Matter of fact, we only have one
2 corridor in our city.

3 And the county was in contract
4 negotiations with the Best Western hotel, which we were
5 not aware of. Had we been aware of that, we would have
6 liked to have taken a collaborative approach if, in
7 fact, the county does have the authority to supersede
8 our special resubmit, which was issued to the hotel.
9 The county will maintain that they felt that authority
10 from -- deciding from a legal standpoint, but not
11 withstanding that we would have liked to have been
12 partners with the county -- and be permitted to
13 negotiate our concerns with this project. And there are
14 a lot of concerns with this project.

15 I'm going to get to the main concern with
16 Your Honor first. The main concern is what happens
17 after the project is over. Our understanding of the
18 agreement is for three months. So after three months
19 you have 97 people, homeless individuals, which the City
20 of Lawndale is very sympathetic to the homeless. Matter
21 of fact, we were the first city council under the
22 mayor's direction to sign an agreement with -- the
23 county for them to fund HAP [ph] program in our
24 community. So we're very sympathetic to the homeless
25 community.

1 But I personally -- what happens after
2 the 30 days, after the three months rather. We have a
3 homeless population -- open the door and allow 97 people
4 to join the likes of the other 30 homeless people in the
5 City of Lawndale in two square miles. We have not been
6 given answers to those questions, Your Honor.

7 And what happens during the program with
8 the homeless people? I know they have rights just like
9 everyone that they have as individuals. Would they be
10 allowed to roam the City of Lawndale? Are there
11 safeguards? Have they agreed that yes, they're going
12 to -- right, we have no idea what the program consists
13 of, and that's what we're really -- if in fact the
14 county has the legal right and authority to have a
15 temporary shelter in the first place.

16 The second question would be are there
17 going to be -- why were we not involved. We would like
18 to be involved. It's our city. When I was elected,
19 Your Honor, part of my role is to protect -- and I
20 believe that we're doing so by making sure that we're
21 engaged in this, and we want to be part of this. And we
22 just want all of these questions answered.

23 If you -- Your Honor, let me really
24 quickly just go through some of our concerns -- just so
25 the record shows, in addition to that -- I just want to

1 outline. We want to ensure that our homeless -- we have
2 30 people that's homeless in the City of Lawndale. So
3 if you have 30 people that's homeless in two square
4 miles, that's a lot of people -- so we want to ensure
5 that our homeless population is being priority --
6 anticipate in this program if, in fact, we're going to
7 have a program. We think that's reasonable.

8 Secondly, we'd like to ensure that the
9 occupants in the hotels, that they leave the hotel in a
10 proper order and that they're good neighbors -- the
11 community and don't -- we're not saying just because
12 you're homeless -- by the way, I was homeless my first
13 week in California at 19. So we're not suggesting
14 because you're homeless, you're a nuisance, but we know
15 the reality that some of the homeless population --
16 could be a nuisance to the community.

17 We're asking that what is going to be the
18 regulation to make sure there is no nuisance of roaming
19 around. And also the funding, we have a modest budget.
20 Are we going to get additional funding from the county
21 to make sure that police protection is provided? When
22 we say police protection, I'm asking that we have police
23 presence there, not simply react when there's an
24 incident, you know. Because reacting to an incident
25 that would mean that we're taking one of our law

1 enforcement officers off the --

2 THE COURT: I'd like to --

3 MS. BARGER: Thank you for your comments.

4 I was making -- and thank you for showing up today --
5 and we appreciate -- you know -- the plaintiff, and the
6 homeless issue when we started this lawsuit, COVID-19
7 wasn't even, you know -- or it was and we didn't know it
8 was going to shut down our city. We got -- which is
9 where this all started -- has committed to housing
10 15,000 people who are --

11 One thing I will agree with you on is,
12 it's got to be in collaboration with the city. I'm very
13 fortunate we have Lancaster and Palmdale, Santa Clarita,
14 Pasadena. We've been working with our cities who have
15 embraced the concept of housing the homeless. I also
16 believe that the people that are in the communities come
17 first as it relates to being serviced.

18 But this is not something that is being
19 thought of as human -- in our cities. We all have a
20 vested interest in the health and safety of our
21 residents. And I say collectively our residents. And
22 the county is committed to working with each and every
23 city. I believe this -- one of the issues one of my
24 cities had, Covina, was -- and after -- I understand why
25 the problem had come to you all. Because in the

1 meeting -- what are we doing, you don't have the
2 answers. It makes you look like you're --

3 So we in the county have a responsibility
4 to work with each city to make it happen. I think where
5 we're going to get into an issue is because of the
6 urgency of this and because of the fact that the
7 governor has made this a priority, in some cases it's
8 not going to be a mother may I, it's going to be a we
9 have work to do -- not the best way to do this, but
10 given the crisis that we are faced with right now, that
11 is the reality.

12 And what I'll say to you is, with a city
13 like Santa Clarita stood tall and said not only are we
14 ready, if you need more, we will authorize more hotels.
15 That tells me that any city has the ability to do it if
16 they do it with compassion and do it the right way.

17 Now, on the resources, we are committed
18 to funding and provide security. You are not going to
19 have to -- that is the right thing to do. That is
20 measure H pre-COVID-19, and measure H post-COVID-19.
21 The issue of three months is a good issue, and it's one
22 that's being asked time and time again. It was brought
23 to -- in the House of Representatives, your city,
24 brought into motion to have a 30-day plan to come out
25 and -- from housing, which by the way pre-COVID-19 is

1 something that we would have struggled with -- no matter
2 what.

3 So when I talk about silver lining in a
4 dark cloud, the silver lining is that throughout this
5 whole horrific pandemic we have an opportunity to
6 accelerate and get it done. And I'm confident, while I
7 don't represent you, I hear your passion. I hear your
8 commitment working with HAP -- tells me that you have
9 heart and you want to be part of this game. You want to
10 have the ability to work with --

11 I'll make that commitment to you. I know
12 that county leaders here, Dr. John Sherin who represents
13 the mental health, we're all in this together. And I
14 tell people, they're already in our communities. And I
15 for one want to make sure that we do what's right, but
16 we do it in a way that's going to treat them with
17 dignity as well.

18 Because one of the challenges that I've
19 had is I worked on Union Rescue Mission -- if the
20 community doesn't want -- and they're treated
21 differently, this has to be embraced by the community,
22 and it has to be done right. And I'm confident -- I'm
23 confident that we can make it happen and make it happen
24 in a way that's a win-win for your community and --

25 THE COURT: I want to thank both of you

1 for coming today -- question. Can you two cooperate to
2 do -- that's entirely -- and you all have a -- coming
3 out of the estate going out on the Laguna Hills case --
4 I've got 10 copies with me, as well as the governor's
5 mandated -- chairperson -- regardless -- there's a way
6 that you two could work together --

7 MS. BARGER: So, Judge, I think -- and
8 Skip Miller is outside counsel -- I think that he had
9 talked with the city --

10 THE COURT: --

11 MS. BARGER: So I think we --

12 THE COURT: Thank you.

13 MR. MILLER: Okay. I'm Skip Miller. I'm
14 Counsel for the County of Los Angeles, working with
15 County Counsel, recently brought into this matter to
16 focus specifically on the cities and the implementation
17 of project -- that's what it's all about. This is
18 really, really an urgent crisis to get these people who
19 are vulnerable and susceptible to this virus into
20 isolation or --

21 There can't be any delay or dilly-
22 dallying about it. So we came in, and our number one
23 priority is to work with the cities. I've spoken to the
24 city attorneys from several cities. We have a whole
25 team. We have Byron McLain. We have Brandon Young. We

1 have a whole team of lawyers and personnel at the county
2 to answer your questions -- to worry about releases and
3 to get this done, okay.

4 And that's the way most of the cities,
5 almost all the cities are going. And it's going to
6 happen one way or another. There's a couple that are --
7 and have said no. So we filed suit already this
8 morning, and we are going to enforce the governor's
9 emergency property issue. We're going to enforce the
10 governor's -- and we're just going to roll forward. And
11 we're going to get this done throughout Los Angeles
12 County.

13 So that's why I'm here, and that's what's
14 going to happen. And if anybody has any problems or any
15 questions, call me. The team will address it, and we
16 will get it done.

17 THE COURT: I want to thank both of
18 you --

19 MS. ISRAEL: So I -- we'd also like to
20 discuss -- the attorneys we talked to -- and so for two
21 weeks we've been having these conversations with
22 different people and -- so that's -- and it's hard for
23 us to agree to anything today. We just keep hearing
24 it's a win-win, it's a win-win -- to our residents -- to
25 show them --

1 MS. BARGER: Your Honor, I want to know
2 about that -- some of the top down state -- that was a
3 state contract that -- I am the chair speaking to the
4 board on policy -- all 22 of our cities and -- police
5 chiefs and -- we will be transparent and --

6 MS. ISRAEL: And when you say --
7 conversations. So people -- people we've been talking
8 to that are doing that, but --

9 MS. BARGER: -- that it's too easy to
10 point fingers saying, well, that's the boss' job -- so
11 Tiana and -- she is --

12 MR. CHUN: [No audible response.]

13 MS. BARGER: Oh, yeah. Okay. Yeah,
14 she's pretty popular right now. I will locate that --
15 she is the person that -- question for -- you've got a
16 question regarding anything, she is it. She has full
17 authority -- to the board -- she is -- she will call
18 you.

19 MR. CHUN: And, Your Honor, if I might.
20 Again, I appreciate -- I've worked with -- we do a lot
21 of work in the county as well. But time is of the
22 essence. Our city council is looking to make a
23 decision -- take back to the city council that would be
24 really, really helpful.

25 MS. BARGER: I guess it would be helpful

1 to me to know what -- with Covina -- you could give me
2 those questions -- I will --

3 MR. CHUN: -- it would be helpful for us
4 and provide some type of -- provides assurance --

5 JUDGE BIROTTE: Let me just add a couple
6 things. I appreciate everyone coming here. And it
7 sounds like everyone wants to try to work on this
8 collaboratively. But as you pointed out, time is of the
9 essence. You've got a city council meeting this
10 afternoon. I'm just going to speak -- getting formal
11 letters between now and almost 11 whenever this
12 happened. I don't know if that's likely. I don't want
13 to speak for anyone.

14 But I guess all I see is we've got people
15 here that doesn't make sense for you all to have some
16 conversations right now to at least try to hammer down
17 some of this so that you can go to the 2:00 meeting with
18 some information. My worry is, is that if you don't
19 have -- and you just kick the can down the road, and
20 you've got this burning issue that needs to get
21 resolved.

22 And if I'm wrong, let me know -- strike
23 me that all these folks are here in the room, go out in
24 the hallway -- I don't mean to kick you out of here, but
25 find a place to hammer this out. The issues you raise

1 are legitimate ones, but they seem like ones that can be
2 resolved. It has -- nothing left but Lawndale residents
3 coming first -- has indicated that the security and --
4 so there's that -- at least to me, it doesn't seem like
5 there's that much more.

6 Again, I'm not really -- with you all,
7 and maybe there is, but let's have that conversation now
8 as opposed to, you know, having everybody come back week
9 after week after week when everyone has said we want to
10 try to work this through.

11 THE COURT: Even if -- that
12 constituents -- being able to say good news or bad news,
13 you can do that -- I know she is willing to work with
14 you -- mediation -- discuss this with you, but -- and
15 you know the position of the governor -- the position of
16 the mayor -- the position of the --

17 MS. ISRAEL: We read it.

18 THE COURT: -- the report is not to favor
19 your position, which means at this point -- even if --
20 at least say -- Andre --

21 JUDGE BIROTTE: Yeah. If I can help in
22 any way, I'm here.

23 MS. ISRAEL: Yes.

24 THE COURT: -- okay there's real-time
25 leadership we're looking for. Jonathan, if you'd be so

1 kind, would you come up and join me -- moment, Jonathan,
2 if you could sit here for a moment as the captain --
3 just have a seat. This is going to take one more minute
4 of your time -- Syrian refugee camp for a moment and
5 just a part of your -- and I'm going to tell you right
6 at the end that Syrian refugee camp -- resource to your
7 city.

8 And also I would hope -- real-time
9 resolution just like Lawndale is -- now, not like -- so
10 let me give you a little bit of background of the very
11 great job of -- out on the street, and I'm paying the
12 department the ultimate compliment -- they are
13 everywhere.

14 MS. BARGER: He's my doctor.

15 THE COURT: -- real problem. So what's
16 the mission here? The mission here is -- if you are a
17 woman and you commit the cardinal sin of looking at
18 another man. The end result is that you're going to be
19 dispatched by a rather terrible -- that's why they --
20 don't leave the house and -- without a male escort -- we
21 do not -- in the eyes of Allah --

22 So the first slide is the United Nations,
23 which is normally -- it's trying to figure out two
24 things. First, how do we keep Al Qaeda fighters out of
25 these camps, from using these camps, from getting their

1 wounds healed and fed. That's not -- when you're
2 fighting with Al Qaeda. Secondly, how are you going to
3 stop refugee camps -- which is occurring culturally.

4 So the first slide. Okay, this is --
5 we're looking at -- 13 camps just in this location.
6 They're entirely different, by the way -- this is the
7 camp. It doesn't look too good, does it? Does anybody
8 think this looks good? Raise your hand. What you're
9 about to see -- next one.

10 This is the UN camp. So what happens is
11 when you're checking in, coming across the border, you
12 can still see people screaming -- checking in --
13 encampment. You're going to try to get a tent. You're
14 going to try to get food, but the way we -- Al Qaeda is
15 they're going to live with a relative -- we talk to each
16 other about our cousins or our friends who are citizens.
17 You are the best screening -- by living with some other
18 family for a period of time, and then maybe after six
19 weeks of being screened -- encampment.

20 Now, these are just everybody checking in
21 because they do all the -- this is a warehouse -- food,
22 like a tent or something. Next one. These are the
23 kids. They don't look any different from kids -- this
24 isn't pain -- better housing. This is the women's
25 center. Next one. This is -- hopefully we get some

1 kind of -- next one.

2 This is the child protection unit. All
3 right. Now I want to show you parts of our city. And I
4 want to complement the chairperson for going down there
5 personally.

6 MS. BARGER: Yeah.

7 THE COURT: All right. I would really --
8 that's another issue. By the way, I want to show you
9 some -- I can take you out to Covina. I can take you
10 out to -- Santa Monica. If you want a journey, I can
11 show you all sorts of places like this. Okay. Let's
12 start -- what's that? Tents, right?

13 The Court wrote an order supposedly about
14 36 inches, the people are supposed to get down the
15 sidewalk. Where's the 36 inches? Where's the passage?
16 Next one. Next one. In other words, what's happening
17 out on the street has nothing to do with the reporters
18 that write about it. Next one. Next one. Next one.
19 Next one. Next one. Next one. Next one. Next one.
20 Next one.

21 They don't worry about the sanitation in
22 the street. I truly -- thank you. Thank you -- okay.
23 These work, and they work wonderfully. The -- they're
24 working. They're being serviced. I think you heard
25 that complement back from before -- and I really hope

1 that goes back to your mayor and that's -- next one.
2 Oh, don't worry about this toilet. It's one toilet.
3 That doesn't make all the -- the exception doesn't --
4 okay. Now, this is about you and your agency. Next
5 one. Next one.

6 These folks down here are using your
7 masks. When you got all of these masks, don't ever
8 believe that the homeless community isn't using them.
9 They're using them about to the same extent all of us
10 are. And if you look at this line, everybody -- next
11 one. Next one. John, this is one of the kids out
12 there, just outstanding. I can't figure it out.

13 The woman, by the way, in the photograph
14 is looking for housing. She's walking -- where should
15 we stay -- if that doesn't break your heart, I don't
16 know what does. And I decided not to take a picture of
17 the child -- by the way, there's 286 -- right now,
18 minimum. But we were waiting for 16th and Maple, that's
19 a different discussion. John, will you introduce
20 yourself -- exemplary --

21 DR. SHERIN: Thank you. Thank you, very
22 much, Judge. I'm John Sherin, the director of
23 environmental health -- before coming to the county I
24 had spent most of my career working with VA mental
25 health and West Los Angeles -- and also mental health --

1 VA for a period of time.

2 To start, I really, Judge, I want to
3 thank you. It's nice to be here in person. I've been
4 like nonstop Skype festivals. So to be here with people
5 is nice. To be here with you, sir, is an honor to me
6 because you're pushing envelopes based on humanity and
7 the right thing to do -- red tape, which is all I've
8 done my entire career. And I thank Kathryn Barger for
9 giving me that opportunity to -- we have to seize the
10 day.

11 If there are any of -- sitting here to
12 obviously -- and thank you for the recognition at this
13 moment in time. This will be -- it's a double SOS.
14 We've had an emergency in Los Angeles County for a long
15 time. And now because of this contagion it's elevated
16 to another level. So for us not to do something about
17 that now is completely unconscionable.

18 And in order for us to make progress,
19 it's an all-in affair. Everybody has to be engaged.
20 It's about inclusion, inclusiveness across our entire --
21 and I ask my bosses and -- where's the ending, where is
22 the -- what do we do to incentivize the cities and
23 others to play? Because exclusion is just simply not
24 acceptable.

25 To all the people on the streets --

1 disabilities where I come -- I'm here to take the
2 department and apply it to these -- people who have
3 severe resistant illness on the street. That's my
4 number one customer. Because what do they -- in the
5 streets, and they go in and out of the jail.

6 We have so many -- populations in the
7 street, whether it's because of mental illness, whether
8 it's because of addiction, whether it's women and
9 children oftentimes fleeing domestic violence, whether
10 it's Veterans, Veterans who have suffered trauma and
11 coming home to no -- where are our values that we
12 continue to let -- right now we act.

13 What -- for me is the number of people
14 who die in the streets. How many homeless people die --
15 that's totally unacceptable thing. And it's a -- but
16 what I would say is -- is that people at a bare minimum
17 need refuge. And refuge doesn't have to be in a
18 situation like this and that everybody is going to have
19 a house and a home. We would love that, and we're going
20 to get there, but we're not there now.

21 So it's not just about permanent --
22 housing. We need more housing. We need to construct
23 it. We need to rely -- critical present solution. But
24 in the interim people need refuge. Those streets are
25 not refuge. And everybody -- because people are living

1 in squalor, and they're trying to tell us that again and
2 again. I don't want any more clients. My job is to
3 have fewer clients. So I really, really appreciate this
4 area of focus for you.

5 And what happens today is that, and I
6 said this to my bosses, all five of them, we have to
7 figure out how to create refuge for people. Refuge
8 doesn't necessarily mean in a home. It doesn't mean in
9 a shelter. It means in a place that's okay for women
10 and you're chosen spots of areas around this -- that are
11 not optimal. They may be interim solutions, but they're
12 a heck of a lot better than what we've got in our
13 streets.

14 And I look to every level of the
15 government. I looked to the -- or I spent a lot of my
16 career, and I've shed a lot of blood and tears in many
17 areas -- and I want to say that there's a new director,
18 and -- to recognize that it was established as a home --
19 on all -- the first one -- they're staying at a shelter.
20 There's a plan for 1,200 units -- for housing. I know a
21 lot of people -- how do we use it now. That's -- I say
22 to the state, Governor Newsom has said there's
23 properties all over the state. He's making them
24 available to us. Are we going to let them sit -- I say
25 no. I say -- we've got properties.

1 We've got lots of properties. We got the
2 city. We need to set up an intentional interim
3 community. And I think that that's starting to happen.
4 We're seeing -- but I feel that we need to, in order to
5 end extreme homelessness that there is between --
6 jurisdictions that are -- let's use our plan at every
7 level, deliver -- provide engagement opportunities in a
8 much bigger way.

9 I want to tell you about a -- the first
10 is creating a pilot that's framed around our home team.
11 Our home team is a new thing that we've launched --
12 engagement teams and put them -- giving them an amazing
13 leader by the name of -- Jackson and said, you're going
14 to -- for years and years and sometimes decades. And
15 then we can say, oh, many of -- what we're saying is
16 that some of them in order to recover will require --
17 care.

18 And that doesn't mean -- for months and
19 months and months and getting them -- we can do that in
20 the street, and we're going to be doing that in the
21 street in the interest of recovery. And when we say
22 something -- it's going to come along with guaranteed
23 housing, a conservator or -- that has all the skillsets
24 that they need -- shared our interest and focus for a
25 long time, and that's what that is.

1 Veterans -- leaders are sitting -- and
2 failed -- when in fact -- provide them a platform to
3 continue to pay it forward. We created something
4 called -- and I'm signing a contract -- with some --
5 probably going to be hiring about 80 Veterans to be
6 battle -- in our community, to get their brothers and
7 sisters off the street and into refuge. So it's not
8 only -- but it's also a strategy to employ our Veterans,
9 to give them a job when they come back to succeed. I'll
10 stop there. And I appreciate your time.

11 THE COURT: Thank you. Well, I'm going
12 to be calling you a lot as we go through different --
13 and so I promise you -- too much, but -- Steve, are you
14 there? Is Steve --

15 MS. BARGER: Is he on?

16 MR. BRAVERMAN: Hello?

17 THE COURT: Is this Steve? Dr.
18 Braverman, can you take -- I want to thank you for
19 your -- these are difficult times -- we'd like you to
20 make any comments -- questions that I might ask you.

21 MR. BRAVERMAN: Sure. So thank you for
22 giving me the opportunity to participate. And it's nice
23 to follow up with Dr. Sherin there. Because we are
24 partnering with him as part of their Veteran Care Access
25 Network.

1 I can relate to a bunch of different
2 things here. Maybe I'll start with some of the things
3 that we've been doing since the COVID pandemic has
4 occurred. And there are three programs that we've
5 established this month in April for additional support
6 to our homeless Veterans in this particular period of
7 time.

8 One is to take one of our buildings that
9 was previously used for our domiciliary programs and
10 make that available to three different categories of
11 homeless personal, Veterans who need --

12 THE COURT: Doctor, can I ask you just
13 one question along the way? Is that building 214?

14 MR. BRAVERMAN: Yes, it is.

15 THE COURT: And that would hold 138.

16 MR. BRAVERMAN: Yes, it is. That's the
17 idea.

18 THE COURT: All right.

19 MR. BRAVERMAN: So if you have -- I don't
20 know if you have a press release or what have you. So
21 the idea is to take that building, and what we've
22 started is to take that building and have three
23 sections. Those Veterans who need to self-isolate due
24 to a medical condition that might increase their
25 susceptibility to COVID or had a contact with somebody

1 who has the disease, another section for somebody who is
2 symptomatic and might be presumed to have the infection
3 and isolate them while we await test results, and then a
4 third for those who may be positive and need to remain
5 isolated for, you know, a 14-day period or until they
6 become negative.

7 That started at the beginning of the
8 month. And we've had about -- make sure I have the
9 numbers here -- about 40 folks that have come through
10 that particular program.

11 Then, we have a second program that was,
12 I guess, funded by the City of Los Angeles, and that's a
13 Bridge Home. So that's the sprung structures that we
14 have that was originally designed for 100 Veterans that
15 would be transitional supportive housing. And what we
16 did there, we just took possession of that when the
17 structure was completed on the 27th of March. It didn't
18 have any furniture in it. So we rented some furniture
19 and set up an opportunity to do distance, physical
20 distance assessments for folks, for homeless people into
21 that program. So instead of the 100 originally
22 targeted, we targeted 50.

23 We've had approximately 40 residents also
24 come through there. We now are actually transitioning
25 those homeless residents into building 214 temporarily

1 because the furniture has finally arrived, and we're
2 building that structure back up.

3 And then two weeks ago we started a
4 program that we called the Care Treatment and
5 Rehabilitation Service where we're allowing homeless
6 Veterans who were living on the streets to enter and
7 tent on one of our parking lot areas where we have
8 hygiene capacity and capability, also providing care
9 services as a transition into that program. The idea
10 that this would be a very low level initial entry point
11 into our program, and that's one of the projects that
12 have gotten some new play in the media in regards to
13 that.

14 We currently have 29 Veterans who are
15 taking advantage of that. Actually we're planning to
16 expand it to 50. We have to get the aligned clinical
17 care associated for that.

18 We continue to work in collaboration
19 with -- service party, the continuum of care need, which
20 PAT, the volunteers of America team, the VPN, and the
21 VPAN as we work. And we have a special, I guess, pilot
22 program with -- to identify the team and how they review
23 cases and collaborate across all those programs with
24 Veterans that we come across in that area.

25 This also allows us to put together a

1 list of 137 Veterans that are down on Skid Row. The
2 city looks to locate -- about half of the challenge for
3 us in some ways is only about half end up being, I
4 guess, eligible for VA care. So we have to continue to
5 rely then -- are doing well working with our partners in
6 order to take care of those folks.

7 So we have a lot of other programs, but
8 I'll stop there and see if you have any questions for
9 me, Judge.

10 THE COURT: Well, thank you. I've got a
11 couple. This here is -- are you able and willing to
12 take in Veterans at present time, even if you didn't
13 have what you call a sufficient structure? By that I
14 mean -- I've got a tent, and I'm looking for safety at
15 least or willing to get closer to a medical facility
16 like a VA facility. Can I come over and at least stay
17 in the parking lot or on the grass temporarily so I know
18 that I'm near something that, you know, if I get sick, I
19 can get treatment?

20 MR. BRAVERMAN: So we have a few
21 different programs that are available for a Veteran like
22 that. The first thing that we'd ask them to do is to
23 come to our building 257, which is the welcome center.
24 And we'd be able to get them engaged in any of the
25 resources that we have that would be appropriate for him

1 or her.

2 We also have a safe parking program area
3 where every evening people can come in their vehicles,
4 if they have a vehicle. And then the third part of that
5 is, if it's appropriate for them to, you know, come into
6 the facility as part of this CPRS program that we have
7 capacity to do that. So we don't turn anybody away who
8 is seeking care, and we'll get them into the right place
9 to get them aligned with the services and also make sure
10 that they have hygiene opportunities as needed.

11 THE COURT: All right. Mayor Garcetti is
12 taking a very strong leadership position in terms of
13 this being a FEMA-like response. He has repeatedly
14 asked for everything from safe parking to proper
15 structures. I'm going to once again assume that if
16 there's a modicum of success and a growing success in
17 terms of taking people from the recreational centers --
18 don't go too far, Heidi, this is going to concern you --
19 and also taking people in to potentially house them in
20 the facility.

21 I'm going to assume that Veterans
22 throughout the city -- I'm going to assume they want
23 shelter, and they're in a location that they would
24 prefer or have to be -- if they would rather be out --
25 most of these folks, if you give them a car -- they're

1 not going to know how to get on transportation or make
2 the effort.

3 If we work with the city and the Federal
4 Government -- could we start asking for the proper
5 mental health to identify these people if they can who
6 are Veterans or maybe -- to somehow set up a
7 transportation system that we haven't thought through to
8 get these Veterans out to, would you take it?

9 MR. BRAVERMAN: So we are already
10 beginning to work with the -- VPAN team for
11 transportation as we identify these Veterans that are
12 interested in coming. We also have had some of the
13 experienced based on some Veterans that are continuing
14 to tent outside our facility on Sepulveda and on San
15 Vicente and Wilshire that don't have an interest in
16 coming into our facility because of some of the legal
17 restrictions that we placed on them when they come into
18 our facilities.

19 So that doesn't preclude us from offering
20 services. That's just some choices that some of the
21 Veterans are taking despite increasing opportunities
22 that we have. And that's one of the things that we have
23 to take a look at as well.

24 But we have capacity for another 100 or
25 so Veterans almost immediately if we identify those

1 people who are interested and eligible for care. And if
2 they're not eligible for care, we'll still get them
3 started and aligned with the city and county resources
4 as needed. In fact, VPAN is transporting some today.
5 We have a team collaboratively that's down on Skid Row
6 working to identify additional Veterans and test them
7 for COVID if necessary or as indicated or desired and
8 bring them up.

9 So far today we've identified nine such
10 Veterans that are on their way here and another who was
11 given a voucher for a hotel.

12 THE COURT: All right. I would ask if I
13 could come out and visit you next week. Would that be
14 acceptable if we set up a plan for your --

15 MR. BRAVERMAN: Sure. We'd love to have
16 you come and visit.

17 THE COURT: Number two, what's your
18 scale? Can you call the -- wait a minute. Can you call
19 Ben Carson directly?

20 MR. BRAVERMAN: Do I call who directly?
21 I'm sorry.

22 THE COURT: No, can, can. Do you have
23 the bandwidth to pick up the phone and call Carson?
24 Because I'd like to know. What I'm generally asking is,
25 who you can reach highest to in either the VA or

1 Carson's office.

2 MR. BRAVERMAN: Oh, I see. Okay.

3 THE COURT: -- you can make -- if you're
4 not able to make a decision, and I know some of the
5 rules, and without getting into those rules about
6 eligibility, let's say that some of those rules could be
7 thoughtfully reexamined. I'd like to know, without
8 putting pressure on you, because that may not be your
9 level, and I don't expect it is, who you reach to as the
10 next highest person.

11 MR. BRAVERMAN: Okay. So in regards to
12 the bureaucracy of getting laws and policies changed,
13 there are policies that are in place through HUD, and
14 that's what you might be referring to --

15 THE COURT: -- I'm sorry. Doctor, I know
16 that. I apologize. Do you reach Joe Rogan [ph], the
17 policy director? Do you reach the director of the VA?
18 What's your next call if a reporter was asking about
19 rule changes and eligibility or the expansion
20 possibilities of the VA for opening up another building?

21 In other words, that may not be something
22 you can answer. Who would you call? A name.

23 MR. BRAVERMAN: Okay. So there's a
24 homeless program office in D.C. that is a policy arm
25 for, you know, the homeless rules associated with the

1 VA. So we would call the folks up there first.

2 They're --

3 THE COURT: And they -- doctor or a name,
4 could you help me --

5 MR. BRAVERMAN: Sure. So one person's
6 name is Keith Harris, and another person -- and I'd have
7 to look up the director's name. That's not on the tip
8 of my tongue at the moment.

9 THE COURT: What do we -- today, but out
10 of courtesy to you when I visit, I may want to have a
11 conversation, and it may not be possible for you to
12 answer those questions. So I want to warn you that I
13 would appreciate getting that person on the phone so I
14 would jump a significant number above that person. That
15 would be disservice to you if I started at a different
16 level. Fair enough?

17 MR. BRAVERMAN: Yeah. So sure, the
18 leader of the housing program office is Monica Diaz.
19 Monica Diaz is -- actually the person that we would
20 potentially get you on the phone is VHA chief of staff.
21 His name is Larry Connell. Larry was the individual who
22 was also part of the team that was working with VA and
23 HUD and came down here when they toured Skid Row and
24 were engaged in some of the negotiations that were
25 ongoing between the city and the White House team.

1 So I would probably get Larry Connell on
2 the phone with you.

3 THE COURT: All right. I want to thank
4 you --

5 MR. BRAVERMAN: Now, whether he's --

6 THE COURT: I'm sorry. I cut you off. I
7 apologize. Please.

8 MR. BRAVERMAN: Oh, I'm saying that, you
9 know, he's also the person who's working with FEMA and
10 the White House team right now in regards to the COVID.
11 So I can't vouch for his availability, but we'll
12 certainly give it a try. He's an Army colleague of
13 mine. So we have a little bit of pull when we try to
14 get him on the phone.

15 THE COURT: Okay. Well, let's try that
16 level first to begin with. And there are two questions
17 I've already asked. One, the expansion possibilities of
18 the VA at UCLA, and you've got a ton of land, and you've
19 got buildings. Second, the eligibility requirements,
20 and why some of these can't change for Veterans. And
21 third, what can be built out if you decided not to use
22 some of the existing -- so that's kind of a precursor to
23 my visit.

24 One, I'd call you privately to see what's
25 good for you, and I'll come -- and have a discussion.

1 Fair enough?

2 MR. BRAVERMAN: Yes, sir. Sounds good.

3 And I actually have some of those answers. So I'll be
4 happy to have that discussion.

5 THE COURT: Okay. Thank you, very much,
6 sir. I really appreciate it. Judge Birotte?

7 JUDGE BIROTTE: Thank you, Doctor,
8 appreciate it.

9 THE COURT: Doctor, thank you, very much.

10 MR. BRAVERMAN: You're welcome.

11 THE COURT: Okay. All right. Let's get
12 to why we originally schedule this meeting. I didn't
13 know about the -- going forward. Going back to 16th and
14 Maple, I read the -- I understand that they -- so why
15 don't we just move through these quickly.

16 First of all, this is what it looks like
17 two days ago. So you only have people living -- and I
18 can't, in 156 pages understand what the -- to the other
19 agency for now -- right?

20 MR. MARCUS: I'm sorry. I didn't hear
21 that.

22 THE COURT: Well, if you -- look at the
23 last four pages -- over to -- but it's to refer over
24 to --

25 MR. MARCUS: Are you talking about DTSC,

1 the Department of Toxic Substances Control?

2 JUDGE BIROTTE: The lengthy report --

3 MR. MARCUS: Well, the lengthy report --

4 THE COURT: -- page report -- first or
5 the second page.

6 MR. MARCUS: The bulk of that -- so there
7 was a four-page memorandum that the city received from
8 the state. Attached to that was the 150-something --

9 THE COURT: Right.

10 MR. MARCUS: -- page report that was done
11 on a building that happened to be on that site 10, 12
12 years ago. So there --

13 THE COURT: But the -- recommendation is
14 to put it over to -- I don't want to take your time, but
15 this -- why don't you pull it up. This is worthwhile,
16 because this is a significant piece of property, and I'm
17 not directing -- to do anything concerning a specific
18 piece of property. But this was the initial piece of
19 property. I'll have to do this by memory. And it's
20 going to be the last full page. Well, let's finish this
21 for a moment and just keep looking.

22 This is what it looks like. Next one.
23 So it's paved throughout. Once again -- let's go back.
24 It's just trash. And then we'll finish this so we can
25 put this down. I'm walking down the street, and you ask

1 yourself, what is trash and what is not. Because it's
2 part of the -- do something, but we can't do something.
3 So I wanted to give you a demonstration for a moment
4 about what a waste management person out on the street
5 would thing.

6 Okay. Is this trash or not? I mean,
7 don't answer out loud because I would be concerned with
8 what's there. That might be very meaningful things --
9 but surprisingly, that's trash. This is a pickup of
10 about 14th Place and 14th Street where they have a
11 community outreach. So in this area alone, if you don't
12 want something, you're supposed to leave it out by the
13 curb.

14 And they have a -- which I didn't put up
15 is a -- where the people tell us that that's voluntary
16 cleanup, et cetera, and they've had a good community --
17 people there whose tents -- but that was representation.
18 But we have -- okay. I don't know. Does this
19 represent -- this is trash, and this can be taken --
20 okay.

21 A human being -- don't worry about the --
22 okay. But a person cleaning might take the stuff off
23 the sidewalk. I'm not sure about that mattress, and I
24 might not take that stuff off the sidewalk. And by the
25 way, I might not take the stuff off -- in other words, I

1 don't know how I'd make that decision about what trash
2 is or not. Okay. Hold on -- get even more -- I don't
3 know.

4 MS. MYERS: And I hope we'll be able to
5 review some of these issues, Your Honor. Because these
6 issues are --

7 THE COURT: -- exposure right now. Next
8 one. Next one. This is not trash. These are two
9 little ladies out there. By the way, I'm not a good
10 surveyor. One of them, one little lady right here.
11 Every place you go, and trust me, I'm not a good
12 surveyor, people will constantly tell you, Judge, I -- I
13 have a place to stay. Now, that -- 100 percent.

14 But then they ask, well, do you need all
15 this. They say, no, but why is she giving up all this
16 stuff if she's living on the street. That's what -- so
17 that's -- next one.

18 Now, the first one was right here, right
19 in here. I guess -- think all of that would be trash,
20 but to the person living there, there might be something
21 right outside that that's very valuable to them,
22 including a personal belonging. Next one. Next one. I
23 think it's hard to determine -- I don't know how that
24 gets sorted out -- Human First Alliance, Waste
25 Management people, off the streets -- I think everyone

1 is doing their best --

2 MS. MYERS: Yes, Your Honor.

3 THE COURT: -- upset --

4 MS. MYERS: Your Honor, I think it's a
5 misrepresentation of -- and examples that you're giving,
6 because I could just equally and we have to The Court in
7 other proceedings that are ongoing that --

8 THE COURT: Sure.

9 MS. MYERS: -- as you're aware of. We
10 could give you examples of --

11 THE COURT: Well -- I want to apologize
12 to -- misrepresentation, okay. I apologize.

13 MS. MYERS: Not to me.

14 THE COURT: -- that's what I'm saying.

15 MS. MYERS: And, Your Honor, and we could
16 just as easily show you individuals who all of their
17 belongings very clearly, the tents they were living in
18 were thrown away as trash. And so I think that's the
19 hard part when this is the issue as it's being framed,
20 Your Honor.

21 We are not, and nor have our clients in
22 other cases ever thought about that mattress on the side
23 of the road. But what they have thought about, for
24 example, is the individual who is holding a cart,
25 transporting their property when that's being thrown

1 away. And so I think the juxtaposition of the question
2 of trash versus people's belongings benefits the people
3 who are in this court to ask them to make these
4 decisions, but don't accurately reflect the issues that
5 are at stake for unhoused people.

6 THE COURT: I don't want to get involved
7 with might or why, because you heard me say those carts
8 are personal property, right? But I am saying the end
9 result of what's happening in this litigation between
10 all of you is a -- because that's -- regardless of who's
11 right or wrong -- and if you make the wrong decision --
12 you're going to get --

13 MS. MYERS: That is not true, Your Honor.

14 THE COURT: Well ...

15 MS. MYERS: That is not true. The
16 question of the right decision versus the wrong decision
17 is not the issue that was in front of The Court in the
18 cases that Councilmember Buscaino outlined, the
19 questions that are previous -- the issues that are being
20 raised in court are when the city knowingly takes
21 people's belongings and throws them away. And I don't
22 believe that it's a chilling effect.

23 THE COURT: -- we're not even discussing
24 their property. We're discussing about where everybody
25 is because of this ongoing litigation and the

1 indecisions that are taking place are causing this. So
2 everybody I think would agree with your position -- not
3 taking something from --

4 MS. MYERS: But they would not agree
5 because those are the issues that are clearly before The
6 Court. The city has made it clear that they believe
7 they are entitled to do this. We do not bring closed
8 cases.

9 THE COURT: Since we're all in agreement,
10 why is this happening?

11 MS. MYERS: That is a question for the
12 City of Los Angeles in terms of their deployment.

13 THE COURT: -- ask the City of Los
14 Angeles, I mean, why is this happening? In other words,
15 I don't care. I care a lot about the fact that -- then
16 say gee, we don't know what it is because -- you were
17 involved, if this would have happened in Orange County,
18 the only reason I got off the bench is I listed three
19 and a half days -- with a very good presentation by the
20 county saying it's all trash. And Brooke's position was
21 no, you know, a large part of this is not trash. And
22 after three and a half days we went for a walk down that
23 river. That's why I got off the bench. And thank you.
24 So I -- why are we bringing this up?

25 MS. MILLER: Your Honor, Christina. I

1 would just like to say that --

2 THE COURT: Louder.

3 MS. MILLER: Sorry. I would just like to
4 say that the city never has any intention of throwing
5 anyone's personal essential property away. There's no
6 benefit to the city to people who are living on the
7 streets to lose personal essential property that helps
8 them, you know, find their way out of homelessness.
9 That's not the city's intent ever.

10 The city does have an obligation to keep
11 the public right of way clean. And I think the pictures
12 you showed demonstrates that it's very complicated to do
13 that.

14 THE COURT: No, I -- Judge Crawford [ph]
15 has a part of this case. Judge Fischer has ruled on
16 this case.

17 MS. MYERS: Not this case. Different
18 cases, Your Honor.

19 THE COURT: Thank you. But the end
20 result we're seeing out on the street is the chilling
21 effect. The end result is your streets are laden with
22 garbage. And if this litigation is causing -- so be
23 it -- is saying, no it's not, it's very clear to you.
24 And if it's so clear to us, why is -- has no answer.
25 But that's one of the main things we're going to get

1 involved in any settlement discussion.

2 And that is not redoing what another
3 judge -- they decided that's the law, whatever they
4 decide. But if this having an adverse effect or not,
5 how do we do this? And it's not -- so clear that I'm
6 asking the question, why isn't this trash being picked
7 up?

8 MS. WEITZMAN: -- offering services --

9 THE COURT: I can't hear you. Come on
10 out so we can hear you.

11 MS. WEITZMAN: In terms of offering
12 services, the question is, is there trash pickup being
13 offered? Not only -- I was there in -- is someone
14 offering regular and consistent trash pickup?

15 THE COURT: Exactly. And so if the
16 city's not offering this and it's -- then we will
17 certainly need to discuss with the city why aren't you
18 offering this because this is a health hazard for your
19 clients.

20 MS. MYERS: And, Your Honor, we need to
21 not portray all of the trash problems on the streets of
22 the City of Los Angeles as related to homelessness.
23 Because I think the mayor has been explicit that 80
24 percent of trash that exists on the sidewalks is a
25 result of illegal dumping.

1 But the problem is the narrative becomes
2 that this is all about homelessness. That the streets
3 of Los Angeles are dirty because of our clients and
4 unhoused people.

5 JUDGE BIROTTE: I hear you loud and
6 clear. My sense is that this is not about blaming who's
7 responsible. It's more, okay, how do we get it clear so
8 that when there's trash the appropriate folks can deal
9 with the trash. And when it's property, then people
10 know. An example I gave to Judge Carter showed like I
11 guess in one street folks know, this is where you leave
12 the trash. And they sort of know, that's trash and the
13 other stuff is not.

14 How do we get -- because I hear you loud
15 and clear. You're saying your view is your clients
16 are -- it's clear it's their property, and the city is
17 snatching their stuff, right?

18 MS. MYERS: Yes. And I think one, we'll
19 always allow that. And two, that is explicitly what's
20 happening, such that when people are given the
21 opportunity to move their belongings, when they're given
22 adequate notice for cleanups, when people know a cleanup
23 is happening, they move their belongings out of the way.
24 And we don't have fights about that. But that's not
25 what's actually happening on the streets of Los Angeles.

1 MR. MARCUS: That's not true, though.

2 MS. MYERS: And --

3 JUDGE BIROTTE: Hold on, hold on.

4 MS. MYERS: It absolutely is what's
5 happening.

6 JUDGE BIROTTE: Stop, stop, stop.

7 MR. MARCUS: I'm sorry, that's not true.

8 JUDGE BIROTTE: I'm going to give you a
9 chance. I promise.

10 MS. MYERS: And, Your Honors, I would
11 just like to point out that Councilmember Buscaino had
12 the opportunity to take the floor and talk and framed
13 everything that happened about litigation. But what he
14 did not talk about were the individuals who brought that
15 litigation. He did not talk about individuals in other
16 cases in front of other judges, right, that gave rise to
17 these cases.

18 He did not talk about the fact that one
19 of our clients in a different case, not in front of this
20 court, that involved a woman walking away from her
21 belongings, coming back and had everything thrown away
22 because it was not part of a noticed cleanup because --

23 MR. MARCUS: No. Even when we do a
24 noticed cleanup we still get sued. I am committed to
25 this process on behalf of the city and on behalf of the

1 city attorney's office. But let's be honest, even when
2 we give notice, even when we give a proper amount of
3 notice under the law for the cleanup and we perform that
4 cleanup as part of -- in accordance with the ordinance
5 and in accordance with the protocols, we still get sued.

6 So you are 100 percent correct. There is
7 a chilling effect that is happening in this city and in
8 this county because we're tired of getting sued, and
9 we're tired of paying attorneys' fees even when we think
10 we're doing everything right. We're not being
11 nefarious. We're not being malicious, but yes, we have
12 a large city with a large number of employees. And
13 sometimes mistakes are made.

14 THE COURT: We're going to -- we're going
15 to really dig into this in a while. This is where we
16 wanted to start the day because this is exactly the
17 passion and commitment on both your sides that we need
18 to hear, understood. Now hold on -- thank you. We're
19 going to have lengthy discussions about this, okay. And
20 we will work -- but by the way, this wasn't taken -- and
21 number two, when we drove through this morning -- they
22 have nothing to do with the homeless.

23 In other words, there -- homeless are
24 responsible for this is a very, very touchy point
25 because look around the city, and we're wondering about

1 other areas have the same denigration to it. So
2 homeless can't be blamed for the filth -- it's around
3 the city, normally 8th Street -- out there. So what I
4 don't want to hear is that this is a homeless problem.
5 It's a -- communal problem also. And so let's get --
6 discussion, Judge Fischer has already ruled. But these
7 are the touchy points we're going to get into -- each
8 councilperson. We need to call -- today.

9 MR. MARCUS: Sure.

10 THE COURT: All right. We were -- so
11 we've got some ideas -- good. I'm glad that we're
12 playing with passion because this is where we ended up
13 somehow with a city -- dysfunction. It can't go on
14 regardless of individual -- taking place --

15 JUDGE BIROTTE: I'm going to ask some
16 questions. And I recognize I may be starting something,
17 but I'm just going to ask, okay, because I'm new to
18 this, all right. So I think I heard both parts. I'm
19 just curious in other instances as far as providing
20 notice that we've talked about. I'm just asking like is
21 that videotaped -- is there some kind of record showing
22 we provided notice to this location, this is going to be
23 moved at this time. And it's now this time, and this is
24 the stuff that's there and we take it. I'm just
25 curious.

1 MR. MARCUS: Sometimes there is in terms
2 of videos. Sometimes there is in terms of taking
3 photographs of the notices that have been posted.

4 JUDGE BIROTTE: Okay.

5 MR. MARCUS: Sometimes it's recorded on
6 body -- and sometimes there isn't. I'll be completely
7 honest.

8 JUDGE BIROTTE: Okay.

9 MR. MARCUS: The recordkeeping of the
10 city is not 100 percent ideal. So sometimes there is
11 proof of that notice, and sometimes there is lesser
12 proof.

13 JUDGE BIROTTE: Yeah.

14 THE COURT: Now, Michele -- Michele said
15 that you wanted to say something. Let Michele say
16 something -- please.

17 MS. MARTINEZ: I don't think any of us
18 here would be -- what we just saw is acceptable. And I
19 think we all would -- addressing the cleanup, not just
20 for the homeless population, but for everyone who lives
21 in the City of Los Angeles, whether you're at a park --
22 drove by to look at that site, we saw -- in the parking
23 lot.

24 And we don't have to go -- but we all
25 should know that we move forward to wanting to move

1 towards an agreement to house the homeless population,
2 address these issues -- we got to have -- we also need
3 to understand we're living in a different time. And so
4 bringing -- towards the future we have to be sensible
5 and realize we're dealing with a new normal. There's --
6 that impact the county, that is going to impact your
7 community.

8 What we need to figure out is that how
9 can we all come together to understand that we want to
10 shelter the homeless. We want to clean up our city, and
11 I believe we can do it. I believe everyone in this room
12 has the passion, has the smarts, and has been doing this
13 for a very long time. The difference is, there's a
14 little disagreement about the city not doing its job --
15 property that it shouldn't take -- I do believe that if
16 we move forward, there has to be outcomes. There has to
17 be timelines.

18 So we're going to address wanting to do
19 cleanup. What does that even look like, and how are the
20 plaintiffs going to agree to what that process is going
21 to move down the road. I believe that we need to figure
22 that out -- to this, they're not -- and I think you
23 agree that there are steps that we can take where it
24 works out for your clients and works out for the City of
25 Los Angeles.

1 MS. MYERS: Sure. And I just want to add
2 one point. Sorry. I just want to add one point to your
3 point, Judge Birotte, because I think it is fair to say
4 that cleanups have to happen. I think everyone agrees
5 with that.

6 So in September 2018, a group of
7 individual organizations represented by us and Catherine
8 Sweetser and reached out to the mayor's office and said
9 let's engage on this particular issue. These are
10 problems that are leading to people's belongings being
11 taken. And laid out issues and said let's break the
12 cycle, let's not sue on this particular issue.

13 THE COURT: Right.

14 MS. MYERS: And came up with a number of
15 issues and ways to address the cleanup issue to avoid
16 litigation because it does not sometimes get anywhere.
17 We bring suit when it has to happen, right.

18 Out of that, it took a year and a half to
19 get the City of Los Angeles to adjust the cleanup
20 notices to indicate the area of the street that was
21 being cleaned so that people knew where to move their
22 belongings. So there are ways for this to happy, and,
23 you know, to the extent that this is the conversation.
24 But I don't want the framing to be that every time
25 people's belongings are taken as part of a noticed

1 cleanup people rush into court and I --

2 JUDGE BIROTTE: Well, but in fairness,
3 Shayla, I don't think that's what's being said. We're
4 trying to have a conversation, I mean, and I get both
5 sides feel very strong about it. I don't think -- and
6 I'm just going to say, I don't believe that anything,
7 anyone's walking out of this room thinking that the
8 homeless are the cause for all the trash in the city.

9 There's a whole host of dynamics. You
10 can drive anywhere in the city. There's all kinds of --
11 we -- I hear you loud and clearly. But to Michele's
12 point, it seems to me that we've got to try in this
13 unique forum to figure out if there's a way to do that
14 and expedite it so that the example you just described,
15 and I'm not placing any value on it for purposes of this
16 other than to say if there is a holdup or slow-up or
17 like Dr. Sherin said, some red tape, we can kind of move
18 through that --

19 MS. MYERS: Sure.

20 JUDGE BIROTTE: -- so that the next time
21 if this issue comes up, well, did you follow the
22 process, yes or no. If you followed the process, okay,
23 your stuff is gone. That's the end of the story. And
24 if you didn't follow the process, okay, City of LA, we
25 have a problem here. What are we going to do about it.

1 Seemingly, that would be the ideal
2 scenario. You may disagree, but we need to have more of
3 what you just said.

4 THE COURT: -- let's let Carol Sobel --
5 she's been patiently --

6 JUDGE BIROTTE: Oh, I'm sorry, Carol. I
7 did not mean to ignore.

8 THE COURT: I want to -- she spent at
9 least six hours, Carol -- so she's been in this
10 litigation ever since -- Carol, I'd like to give the
11 floor over to you. I apologize --

12 MS. SOBEL: It's okay. I actually -- if
13 you think Shayla is angry, it's a good thing I'm not
14 there. I am just fuming. And I have been doing this
15 actually since 2000 when I started with the Justin [ph]
16 case, a property confiscation case on Skid Row where all
17 the black men were arrested. I have to respectfully
18 disagree with my friend, Judge Birotte about the
19 process.

20 The reason that the city has been sued at
21 least nine, ten times now is because the city doesn't
22 pay attention to the court orders and doesn't think it
23 has to pay attention to the court orders and comes up
24 with different schemes.

25 So if you want to talk about how you're

1 going to resolve this issue, I think that you need to
2 have a discussion with the city about why it is that
3 those policies and practices aren't being followed.

4 And I've had discussions with the police
5 department about this. I've had discussions with
6 everyone. I have offered if they couldn't tell what was
7 trash and what was not trash, we had one particular
8 incident on Skid Row after the ban started to be
9 implemented, and I offered to bag and tag that property
10 and take it to Chief Beck's office, and he could sort it
11 out.

12 You know, because I'm not playing games
13 about this stuff anymore. I do not think that these are
14 incremental solutions, Michele. I really don't. I
15 think that there needs to be something dramatic that
16 occurs. Because there are -- the problem just keeps
17 expanding. And if we don't do something dramatic this
18 time, more than we've done in the past, far more than
19 we've done in the past, we will lose this battle
20 permanently.

21 But then the other thing I want to say is
22 because The Court took pictures of mattresses and things
23 dumped off of Skid and put in other areas, we have a
24 problem in the city. And we have a special budget line
25 that the mayor has to clean up the alleyways and to

1 clean up the dumping. We have people who -- you know,
2 the reason there are refrigerators on Skid Row often is
3 not because homeless people bring them there, they don't
4 have electricity, it's because the people who live in
5 the upscale lofts, they get renovated, the people who
6 don't have trash pickup otherwise or don't want to wait
7 for what we call the items pickup, put things in the
8 alleyways, put them on the sidewalks.

9 Even in upscale neighborhoods you drive
10 through and people will have a mattress sitting out
11 there for three weeks. So we do have a separate
12 approach on that particular type of trash. And the
13 mayor has a budget for it, and I don't know why it's not
14 being picked up. Because that is a totally different
15 program.

16 But I do think that, you know, I think
17 that there needs to be an honest discussion about this.
18 I texted Michele Martinez earlier. I'm very concerned
19 about the Council voting to prepare a plan to open up
20 the rec centers. I don't know where people are going.
21 People haven't gone into the motels that we have now.
22 So I don't understand that.

23 And I think for the very immediate future
24 we need to know how we're moving people in this time
25 period. We have a thousand people in the Union Rescue

1 Mission at this point, a thousand people. That is
2 only --

3 THE COURT: Carol, it's been downgraded
4 to 400.

5 MS. SOBEL: Well, here's the thing. That
6 is a hotspot for COVID-19 in this -- and so talking
7 about congregate shelters as the future, even in the
8 short term is just not a good approach for the city. It
9 is a waste of money, a threat to people's health and
10 safety, and I think we need to talk about that. And we
11 need to make sure that what we do now, the money we
12 spend, is going to address the problem and not just push
13 it down the road.

14 THE COURT: Okay. Well, according to
15 Carol I want to say that you -- and I'll say this to the
16 group. In our court three years ago I didn't know -- we
17 asked them to put down their swords for a moment, and I
18 got to tell you, they didn't go -- but when the Anaheim
19 River was cleaned and the Santa Ana River was cleaned
20 allegedly, we'll call it a sweep or whatever you want
21 to. There were disagreements over what personal
22 property was. It was not perfect.

23 Most of the time Brooke and Carol really
24 got out in front of the health workers and out in front
25 of the police who laid back. And I got to tell you, in

1 six days or five days, we didn't have any actions of
2 violence and -- they told me -- we wouldn't have any
3 acts of violence. And Brooke, you just resolved -- very
4 professional, gave you a complement the other day.

5 That kind of coming together really led
6 to very few disputes over what personal property was.
7 Most of our homeless, when they heard they had a hotel
8 to go to at least, they wouldn't walk away from some of
9 those items that caused concern. I really think that
10 coming together like that was a -- and a model for
11 mental health and a model for the county.

12 Now, trust me, it was not perfect. We
13 were -- a lot of the -- but I would continue to
14 encourage that kind of cooperation. And the one thing
15 is the Federal Courts are here -- I'm here, you know,
16 Phil's here. A lot of the judges are lining up and are
17 going to be taking a lot more hands-on approach. So
18 it's not just coming to court now. If we have to walk
19 those streets -- we'll do it. We'll make the decisions
20 on this -- do you understand that? Now, that's a lot of
21 walking. So don't pass -- hold on, hold on.

22 So really, we have to get down there on
23 the day that this is going to occur. We can make those
24 real-time decisions -- couples, et cetera, we -- as
25 being perfect because with 1,500 people there's a lot of

1 problems. But this, what we're seeing now is -- okay,
2 it's just not. And 10 years from now I'll see it again.
3 Your victories are great legal victories on both sides
4 that you'll read about in 10 years.

5 And this city is disintegrating. And it
6 is becoming trashy. It's hurting our businesses. It's
7 going to hurt our jobs. It's hurting our homes, and
8 it's hurting our -- now let's -- now. You know, that's
9 the end of this. I love recreational -- so we're going
10 to turn to that and then we'll be able to get you out of
11 here.

12 We've got a lot of work to do this
13 afternoon in light of what the council decided last
14 night that we didn't hear about. I really want to --
15 Marcus get ahold of Mike now and talk to him. So if you
16 can flip up for a moment -- well, first of all -- Carol,
17 I'm sorry. I cut you out. You started with
18 recreational vehicles. I wanted to make sure you
19 finished up. I apologize.

20 Carol, are you there? Okay. I'm just
21 kidding -- six hours. So Jim, do you have anything to
22 say --

23 JUDGE SMITH: I want to thank everybody
24 for giving me an opportunity to virtually get out of the
25 house that I've been in for three weeks.

1 THE COURT: Okay. Look, I said I wanted
2 to do this as fast as we could. You can't leave anyway.
3 So since you can't leave -- on the last four pages and
4 basically our first couple pages, it reverses over to a
5 housing agency. And I don't have the acronym for it --

6 MR. YOUNG: DPSE.

7 THE COURT: Yeah -- send it over to
8 housing for another analysis. So let me start with
9 what's wrong with this site because it appears that the
10 recreational vehicles, they always -- along the freeway,
11 right. They're all the way on 16th Street, right. And
12 that's where -- self-selecting --

13 MS. MYERS: I would not call it self-
14 selecting, Your Honor. I would say that that is where
15 the city has allowed --

16 THE COURT: Okay. Shayla -- they're
17 parked along 16th Street.

18 MS. MYERS: Because there are no other
19 options, Your Honor.

20 THE COURT: -- no other options, okay.

21 MS. MYERS: Yeah.

22 THE COURT: And I get that much. It's
23 that they're parked on 16th Street, right?

24 MS. MYERS: That is true, yes.

25 THE COURT: The one question is, do you

1 want them to stay there, or do you want --

2 MS. WEITZMAN: Judge --

3 THE COURT: We asked that last time, and
4 we came to an initial agreement on 16th and -- right?
5 And then we found out -- and now you come up with two
6 other locations where it seems to cross in terms of
7 being acceptable, but I haven't talked to -- Marcus, I
8 haven't talked to you about that. Shayla, I haven't
9 talked to you about that. And one of those is a
10 location that Los Angeles --

11 MR. MARCUS: On 8th Street?

12 THE COURT: Yeah.

13 MR. MARCUS: There's one on 8th and one
14 on Los Angeles. Those are the two locations that I know
15 have --

16 THE COURT: It's what I'm going to call
17 Guarantino's [ph] parking lot. So when you look at
18 that, is that acceptable to you for recreational
19 vehicles? Because it seems awfully small for the number
20 of vehicles you have out there --

21 MR. MARCUS: Well, that site can fit
22 almost the same number of RVs as the 16th and Maple site
23 could have fit. I believe the first estimates is we can
24 put 18 RVs at that site in Los Angeles.

25 THE COURT: Yeah, but the Maple Street

1 site is --

2 MR. MARCUS: There's only about 22 RVs
3 that we could have put on that site because you're not
4 allowed to put them under the freeway. You're only --

5 THE COURT: Oh, I see.

6 MR. MARCUS: There's only two usable
7 spots on the wings, so to speak, of that property. So
8 there was only about 22 RVs that we could place there.

9 THE COURT: I see.

10 MR. MARCUS: So it's a very similar
11 number.

12 THE COURT: And that's because it's
13 hazardous, right?

14 JUDGE BIROTTE: You can't have it under
15 the freeway.

16 MR. MARCUS: Yeah, you can't have --

17 THE COURT: -- fumes, right? That's what
18 the --

19 MR. MARCUS: There's a few separate
20 issues. The potential of environmental issues involving
21 the site as a whole is one thing. There's a separate
22 restriction about having people sleeping under freeways,
23 whether it's from fumes or the freeway collapsing in
24 earthquakes, I don't know what it is. But you can't put
25 residences under freeways.

1 THE COURT: -- people, they're not
2 supposed to be under the freeway, right, it's hazardous.

3 JUDGE BIROTTE: Right.

4 MR. MARCUS: Yes. Yeah. Correct.

5 THE COURT: Right. Well, most of the
6 homeless people when you drive around are under freeways
7 or overpasses for one reason. They get some shelter
8 from the rain. So what I'm hearing is they -- it's
9 harmful on this site at 16th and Maple to have human
10 beings living under the freeway. It's harmful to park
11 recreational vehicles in this location, but yet
12 throughout the cities, that's what they're doing. And
13 so if that's the case, why is that --

14 MS. WEITZMAN: It would be better if the
15 city and county --

16 THE COURT: It's occurring because you
17 don't have enough housing. It's just as simple as that.
18 I mean, just bottom line. If you have the housing, and
19 I -- about what the quality of that housing is, this
20 problem gets resolved. And by the way -- would probably
21 get resolved -- trust me you have hours.

22 So if we get housing, these properties
23 seem to be manageable and dissipate both in terms of the
24 belongings and public health. It's just as simple as
25 that. And there doesn't seem to be the -- although I

1 think that there's commitment now -- the council and the
2 county to get this done, and that's -- it's never going
3 to come again. This is it.

4 So if you were to pick a site, there's
5 another site that we agreed to out by MacArthur Park.
6 I'd only call that 8th Street. I've got some pictures I
7 can email you. But that size lot is in Gil Cedillo's
8 district. The Los Angeles site is in Huizar's district.
9 I don't feel comfortable with a pledge to go to each
10 district to get their commitment out of any of this
11 today without having Gil Cedillo involved because he's
12 done so much out in his district. And that's the kind
13 of, I hope, personalization we hope to bring to the
14 table so that our district council people are on board.

15 So I'm going to take out the -- I'm going
16 to take out the 8th Street site for just a moment and
17 talk about Los Angeles. The problem is that even if you
18 have a sixth -- but why with the number of people and
19 the inadequacy you pointed out are we limiting ourself
20 to a site for the 16 vehicles it accommodates now when
21 we probably have more vehicles out there in the
22 immediate area?

23 So what we're doing is just the bare
24 minimum to get the 16 vehicles to be kept off the
25 street, which might solve it today. Why don't we

1 take -- shelters, I think there were only -- able to get
2 like 50 of them in the country at the time. Why aren't
3 we taking those homes and talking about putting them on
4 a Los Angeles lot? It's closer to your services
5 downtown, right?

6 On the recreational vehicles, why don't
7 we leave them there for the time being because they
8 self-selected because they didn't have room in the
9 parks, and developing and seeing if we can get that 16th
10 and Maple -- now it's coming back to me, and I respect
11 this because -- yeah, somebody tell me, since you know
12 this, where -- safe parking places. This isn't the
13 place. Where are they? You know your city. Where
14 is -- self-park, right beside a freeway. You have made
15 more permits than you can possibly imagine, put the
16 homeless right beside the freeway.

17 So now I'm hearing -- Marcus no
18 disrespect, I'm hearing that this is not a safe place,
19 and I agree with it. But our homeless are getting
20 committed into locations by the freeways -- so if you
21 waiving them, why aren't you waiving it -- 16th and
22 Maple. I don't get it.

23 MR. MARCUS: Your Honor, I'm not familiar
24 with --

25 THE COURT: Yeah, I want you to become

1 familiar with it.

2 MR. MARCUS: -- if there's any difference
3 between being near a freeway and being under a freeway.
4 There's a big difference.

5 THE COURT: Oh.

6 MR. MARCUS: Big, big difference.

7 THE COURT: Then, what would your
8 response to the person -- this freeway?

9 MS. MITCHELL: Under the freeway --

10 THE COURT: We can't hear you.

11 MS. MITCHELL: Thank you, Your Honor.
12 Under the freeway -- and so we are still concerned about
13 people being under the freeway throughout Los Angeles.
14 We could say that they all need to be cleared out, all
15 of them.

16 THE COURT: Listen to the argument for
17 just a moment on both your sides. If you asked The
18 Court to clear for public health reasons under the
19 freeway, let's just say Judge Birotte, Judge Carter,
20 Judge Gutierrez, Judge Carney, name the lot -- motion
21 whether -- they're going to go right into your
22 residential areas just like they did when we had 800
23 people walking away from the river in Anaheim.

24 Let me walk through this scenario for a
25 moment. When you start asking The Court to do things

1 because we might just say for public health reasons
2 there is no reason for people after this discussion to
3 be under any freeway, and that's where they all are.

4 And now your folks are getting scattered.
5 They go to the residential areas, Marcus, where your
6 constituents are beside themselves because they spotted
7 a homeless person and they didn't like driving by and
8 seeing them, and now they're camping in their backyard.
9 Now, that's exactly what happened.

10 We went through 11 camps. I lost count.
11 We've been through kind of 11 different, from the
12 railroads on down the -- encampments at minimum of 100
13 or more. And unless we've got some place to put them,
14 that's exactly where these folks are going to go because
15 they've got nowhere else to go.

16 So do you want us -- does somebody want
17 to -- freeways underneath? I don't hear anybody. Do
18 you, Andre?

19 JUDGE BIROTTE: No.

20 THE COURT: Nope. So what we've got here
21 is we've got the status quo. We've got people --
22 underneath the freeway -- from what I hear is -- public
23 health concern. Because quite frankly there's another
24 problem in play, and that is it's going to scatter them
25 up in those -- areas if we break up those encampments.

1 So what's the answer? It's continuing housing. It's as
2 simple as that.

3 Now, we're going to -- long-term support,
4 positional quality -- space, I get that. You heard Dr.
5 Sherin, and that is, we've got to get these folks into
6 something, okay, to begin with, to build anything in the
7 future. How bold is the commitment? I'll say it again.
8 We've got -- I perceive and maybe -- it calls for a
9 FEMA-like response. And it's been out in front two
10 years saying that.

11 Why would the Federal Court be nipping at
12 his -- for that type of commitment? Just call him
13 sometime. He's working night and day. So I don't mean
14 to say there won't be disagreements with The Court or
15 motions in the future, but that seems to be along with
16 the -- the very commitment we need, that we should have
17 had in the past involving the same people in the past.
18 It doesn't make any difference. It makes no difference.
19 How are we going to get this housing?

20 And then I'm hearing, hey Judge, this is
21 small -- no, it's not. You get the recreational
22 vehicles going, and I can name a whole bunch of --
23 right, Michele -- pre-safe parking, okay -- just because
24 we found one recreational lot. So I still don't get --
25 is useful. And if it's not usable, then why can't we

1 let the 16 vehicles in the 16 spaces we've got right now
2 and use the Los Angeles right now so we can use these
3 tents to get them out. Could we do that? Can we get
4 that --

5 MR. UMHOFFER: I suppose that the question
6 is probably -- what would we process -- determination
7 based on this report that there's potential problems.
8 What would be the process of coming, obtaining a
9 variance, what would be -- what would make this site
10 possible despite --

11 MR. MARCUS: And that's what we're
12 working on --

13 THE COURT: Yes. See, here's the
14 problem. I believe that. I think we're working.
15 What's frustrating me and causing me to roar is that
16 we're working on it. Because your office has gotten so
17 big that quite frankly any time it gets into your
18 office -- it's in my office, it's in my stack of papers.
19 I will get --

20 MR. MARCUS: Your Honor, just --

21 THE COURT: No, no, hold on, Marcus.
22 You're not -- counsel, and that's not the intention by
23 people who have been in this -- it's just what we are.
24 We've got to cut that real-time, into real-time. We've
25 got to cut that logistics line and get those full

1 support -- like that. And that's -- with all the drama
2 last time, hey, well, why can't we get it done today.
3 Well, why can't we get it done today.

4 It was supposed to go over to health
5 hazard or somebody else. Why don't we have that -- why
6 am I waiting 10 days for this? And if we don't have a
7 lot for 16 vehicles, if they want to -- by the way, they
8 can't move now. Until I talk to -- this park isn't
9 pressing for any movement because her process is the
10 homeless may be better off with self-selection of
11 recreational vehicles and tents. We need to pay respect
12 to that.

13 And maybe we're not moving people right
14 now -- that makes -- maybe we take some of these -- you
15 need time for that. We're not doing that today. But
16 for God's sakes, the logistics line is so long that it
17 kind of throws together this bureaucratic whirlwind that
18 the next person's going to do something. So, Marcus,
19 now I'm back to you. That's my frustration. And it's
20 not with you. It's just --

21 MR. MARCUS: And I share that
22 frustration, as does many people within the city.

23 THE COURT: Can you and Mike help me cut
24 that?

25 MR. MARCUS: Well, we don't have the

1 ability to disobey state law.

2 THE COURT: -- yeah, we do by agreement.
3 Let me say that again. Yeah, we do by agreement. And
4 I'll cover for you on that. In other words, if I have
5 the power right now and you all agree, I'd say move your
6 16 vehicles to that underpass at your first opportunity,
7 okay. Listen, when I say let's put up 50 tents also --
8 Los Angeles piece of property when it comes to the
9 fellow court -- I'll take blame for that -- I'll take
10 the blame for it. Judge, you violated state law, okay.
11 But it's to your benefit and you agree to that, then I'm
12 the one taking the risk, right?

13 MS. MILLER: Your Honor, can I just say
14 the city stands ready to set up the safe parking program
15 at the 749 South Los Angeles site because there's no
16 environmental issues. We own the site. It's owned by
17 Department of Water and Power. So we stand ready to do
18 that if that is something that's agreeable with the
19 other court.

20 THE COURT: The Los Angeles site. That's
21 for safe parking.

22 MS. MILLER: Right.

23 THE COURT: I love it. First of all,
24 thank you.

25 MS. MILLER: On a voluntary basis. We

1 would never clear out the RVs.

2 THE COURT: Yeah.

3 MS. MILLER: We would never say you have
4 to come here. We would make it available if people
5 wanted to use it. And if they didn't want to use it, I
6 think that's a great opportunity to talk about whether
7 or not it could be a place for the pallet shelters as
8 you mentioned.

9 THE COURT: Then, could we do this. If
10 and when it's safe -- could we move the recreational
11 vehicles there, but still work on the 16th and Maple?
12 Because if we can use both sides, frankly the folks are
13 better off closer to facilities on the Los Angeles site
14 than they are in the recreational vehicles because
15 they're more independent recreational vehicles down
16 here. They've got something with them. The folks
17 living underneath that freeway don't have a thing with
18 them.

19 MS. MILLER: Okay.

20 THE COURT: And if you -- I'll go over
21 tomorrow. I mean -- they're not kidding. I mean, if
22 you want to take -- we'll take a little walk -- they
23 don't -- this city absolutely has the best opportunity.
24 We have housing to get rid of all of these problems that
25 are taking -- time, trash in the city, however you view

1 that, and the city is going to spend hundreds of
2 millions of dollars more when we don't have it, for the
3 money we spent now -- by the way, there's a lot of
4 dedicated funds.

5 There's a lot of dedicated funds that
6 aren't going to hurt. Carol, I wish you were still
7 there. Is she back? That aren't going to hurt if we
8 perceive to take away from people who are coming out.
9 Carol pointed out to me there's a billion dollars --
10 state. And Carol, thank you for coming back. Carol?
11 Carol?

12 MS. SOBEL: Yes, I'm here.

13 THE COURT: Carol, do we have 100 billion
14 dollars -- a billion dollars up in the state some place?
15 I was just singing your praises about the fact that
16 trying to unlock this money, quite frankly that was
17 dedicated to homeless people that quite frankly they
18 don't take away from the general proffers and the -- in
19 the city right now. This is money that was supposed to
20 spent for homeless. Could you explain --

21 MS. SOBEL: Exactly. Mental health
22 services act money. It is a renewable source of money
23 because it's built on the millionaire's tax. Although
24 given COVID-19 there are probably fewer millionaires in
25 California. But it is -- the county has not spent it.

1 I know that they plan to spend some now, but with almost
2 a billion dollars, if not more at this point, they could
3 take even, you know, half of that for now.

4 It would require a legislative change to
5 allow them to spend it in a way that actually gets
6 people with mental health issues more directly into
7 housing and pay for the housing. Right now it only pays
8 for the services, but it clearly needs to change.

9 So I think that that would be an easy
10 legislative fix, even as a one-time thing. And as I
11 said, it is a renewable source of money. It isn't
12 additional taxes on people, and it would make an
13 incredible difference.

14 THE COURT: Yeah, thank you. Carol
15 shared that with me and educated me about that. I
16 wasn't aware of it. But that's dedicated money that
17 doesn't detract from the present crisis that the city's
18 in. So, Andre, where do we go from here? It would seem
19 to me that it's -- in a formal agreement if we literally
20 have -- representation that when we lift the
21 restrictions we can initially use the Los Angeles site
22 for recreational vehicles to begin with. So if you need
23 more time --

24 MR. MARCUS: You're talking about the
25 site on Los Angeles?

1 THE COURT: Yeah, Los Angeles Street.

2 MR. MARCUS: Yeah. We're trying to set
3 that up as quickly as we can.

4 MS. MYERS: Great, Your Honor.

5 THE COURT: Right. And then can we do
6 this? Can we then look at that 16th and Maple about
7 moving the vehicles over there and maybe pallets -- you
8 want the folks to be out from underneath the freeway,
9 going to this initial site -- on Los Angeles. In other
10 words, you want the trailers to be made for the time
11 being. You want to give the folks underneath the
12 freeway an option because they would move tomorrow --
13 and are you -- or do you want to use the -- because by
14 the way -- if you had a space right now, they'll
15 actually --

16 MS. MYERS: The folks who are currently
17 living in the underpass at the 16th and Maple site.

18 THE COURT: Yeah -- we're poisoning them
19 because they're living under -- underpass like all the
20 homeless in the city.

21 MS. MYERS: That is happening, yes.

22 THE COURT: Okay. So all I'm saying is
23 be careful what you bring to The Court. I mean --
24 litigation because there could be ramifications where
25 you come into court and say on 16th and Maple underneath

1 the overpass it is unhealthy, and then their argument
2 would be -- why isn't every underpass being cleared.
3 And then watch what happens on the city side, the county
4 side when all these folks underneath your underpasses go
5 out to your residential area, watch the backlash of your
6 citizens because that -- from Santa Ana. Okay. So why
7 don't we summarize --

8 JUDGE BIROTTE: It sounds like there's an
9 agreement a little bit. I mean, so -- well, yeah, it
10 sounds like there's an agreement. There's some things
11 that I want to follow up maybe with Carol and Joann [ph]
12 and Scott maybe later. But it sounds like at least as
13 it relates to the site we have an agreement.

14 MS. MARTINEZ: So the agreement is for
15 Los Angeles Street to -- is it RV vehicles, or is it --
16 the pop-up homes, the pallet homes.

17 MS. MILLER: We're willing for it to be
18 for either. The issue we were trying to address was the
19 fact that there were RVs there. That's what I
20 understood to be the issue from last week. And so the
21 conversations we've had with our departments to date has
22 been around RV safe parking.

23 MS. MARTINEZ: So if the plaintiffs agree
24 to keep those that are currently on 16th and Maple as
25 is, status quo, and then utilize the Los Angeles site

1 for the pop-up -- the pallet homes for the Los Angeles
2 site, would you guys be okay with that?

3 MS. MILLER: We'd be willing to explore
4 it. That's not the conversation --

5 MS. MARTINEZ: Okay -- clear because the
6 Judge --

7 MS. MILLER: But we can bring that back.

8 MS. MARTINEZ: There are an additional 16
9 RVs at the Los Angeles site is what you guys are willing
10 to accommodate. But you're willing to explore the pop-
11 up --

12 THE COURT: I'm not --

13 MS. MARTINEZ: Okay.

14 THE COURT: I -- in this room we can make
15 a decision in real-time. And so if you need to make a
16 phone call, that's great. Explore means another week,
17 another month, that's what has to stop, no -- and I'm
18 not the type -- sitting down here on a small decision
19 like this, nor Kathryn's time, but these decisions have
20 to be made --

21 MS. MILLER: Yeah. So the decision we
22 were asked to come back with was on safe parking. So
23 that's what we came back with. So that's what we would
24 let -- if we're all in agreement on moving forward with
25 that, we'd love to go ahead and execute on that.

1 MS. MARTINEZ: So, Shayla, are you okay
2 with adding additional safe parking spaces on the Los
3 Angeles site and moving, and having a different
4 conversation later on about the --

5 MS. MYERS: Sure.

6 MS. MARTINEZ: Fantastic. Alliance?

7 MS. MITCHELL: I have a question.

8 MS. MARTINEZ: Okay.

9 MS. MITCHELL: Because the issue that we
10 were coming up against last week was the SB211, and the
11 concern about having a setback and enough setback for
12 the pallet shelter underneath the freeway. And so my --
13 and that's not our objective -- I want to be very clear.
14 If we can still utilize the 16th and Maple location,
15 which I think we should be able to, just by -- that
16 location is already paved. We were just there this
17 morning. There were some cracks, but if you just re-
18 pave that -- that would take care of virtually all of
19 these -- we can get that done and we can get that done
20 quickly.

21 THE COURT: Yeah.

22 MS. MITCHELL: And that way we can put
23 RVs and cars there and put the pallet shelters in Los
24 Angeles. And I understand that we want something done
25 today, and so you're fine with that -- the RVs on the

1 Los Angeles side. That's fine --

2 THE COURT: -- let me --

3 MS. MARTINEZ: So what would this
4 timeline look like? I'm about -- I'm about timelines.
5 So if that is your position, and if we were to -- and
6 the City of Los Angeles agreed to that, what would be
7 the timeline, 15 days, 30 days, 90 days, 120 days?

8 THE COURT: Why isn't this just a phone
9 call? Now, hold on. I don't think -- let me give you a
10 perfect scenario. It comes from Judge Birotte. The
11 perfect scenario is that the recreational vehicles along
12 16th probably have some kind of small community going.

13 MS. MARTINEZ: Yes.

14 THE COURT: In a perfect scenario from
15 their standpoint you probably get a lot of compliance if
16 they were moved to 16th and Maple. It's one lot. It's
17 a block and a half or two blocks away. And you know
18 what you wouldn't get somebody saying, well, I'm not
19 going -- and all that. You'd probably get people --
20 it's fenced for goodness sake. And the Los Angeles
21 Street we could get pop-ups, and we could get people out
22 from underneath the freeway. So we really got two
23 things going.

24 You've got your recreational vehicle
25 people who will already be housed, moving a short

1 distance away to a gated area. You've got your people
2 underneath the freeway or wherever they chose in that
3 area, out from underneath that freeway and over to the
4 pop-up tent. And it just -- from my standpoint should
5 require a phone call.

6 MS. MILLER: Your Honor, I would appeal
7 to The Court that we handle the 16th and Maple and the
8 safe parking as two different matters, mainly because we
9 don't have enough information on the 16th and Maple site
10 to move forward.

11 What we do know is that we have site
12 control of 749 South Los Angeles, and so I would love if
13 we could move forward with this opportunity while we
14 gather the information we need for 16th and Maple and do
15 whatever is appropriate on that site once we have the
16 information. If it's safe parking, we'll do both. If
17 it's flat pallets, we'll do pallets and safe -- we'll do
18 whatever makes sense, but I really think we could --

19 MS. MARTINEZ: -- answer in the next 15
20 days.

21 THE COURT: Not that long --

22 MS. MARTINEZ: -- and take initial steps
23 to --

24 THE COURT: Can we leave the recreational
25 vehicles where they are right now? And then can we get

1 the Los Angeles site for the pop-up tents now? Can we
2 get the people out from underneath the freeway? That
3 way, Christina, we can utilize the tents that we got
4 that aren't even being used right now.

5 And if you got the Los Angeles site,
6 you've got -- still in the same place without moving
7 them. It's on 16th. So we're not -- all that nonsense.
8 And we've got 50 more people or 100 more people off the
9 street right now. That's a tremendous accomplishment.
10 And -- Christina needs some time to check with whomever.
11 I don't want to -- decision like this for goodness sake.
12 Maybe -- or somebody out there, a phone call away, but
13 that's the real-time they need. Can we just place the
14 phone call and get a yes or no? Because we need to
15 discuss with somebody, and it's -- she told me the
16 sites --

17 MR. MARCUS: It is, but there's --

18 THE COURT: Then why don't we put people
19 there? Because that way we've got 50 extra people kept
20 off the street.

21 MR. MARCUS: Because, again, there are
22 state laws and restrictions that require us to go
23 through certain -- that we have to make sure it is
24 appropriate to put the housing on and not just an RV on.
25 Those are restrictions that have not been waived under

1 the governor's emergency orders. So we still have to
2 follow state law.

3 JUDGE BIROTTE: You're saying -- are you
4 certain of that? In other words, is there some research
5 that leads you to believe that putting pallets there
6 might raise an issue?

7 MR. MARCUS: It's based on my experience
8 at 16th and Maple. And what happened at 16th and Maple
9 is when these issues got raised, the solution for that
10 issue is a different solution if we're only putting RV
11 safe parking there versus if we're putting the pallet
12 structures there.

13 JUDGE BIROTTE: Okay. But we don't know
14 that for certain, right?

15 MS. MILLER: Right.

16 JUDGE BIROTTE: On the lot --

17 MR. MARCUS: Correct.

18 MS. MILLER: Right. We'd like to get the
19 information. If the environmental testing says do not
20 put pallets here, this is only okay for RVs, we will
21 move forward with that solution. In the meantime, we
22 have a site that we have already vetted to be
23 appropriate for safe RV parking. And so there's enough
24 RVs out there. We could probably use both sites for
25 that purpose.

1 MS. MARTINEZ: So I guess the point is,
2 is we want to maintain status quo at 16th and Maple
3 until you get a response. In the meantime, we're going
4 to open the Los Angeles to add more RV vehicles as a
5 safe parking.

6 MS. MILLER: That -- right.

7 MR. MARCUS: Yes.

8 MS. MILLER: It would be available for
9 whoever needs it, yes.

10 MS. MARTINEZ: Are you guys okay with
11 that?

12 MS. MYERS: Yes. The one thing I would
13 say is we would also be okay to say if you can do it as
14 safe parking, great. If in the next three days you can
15 resolve that you can do it for pallets, even better and
16 also great. But and defer -- but in five days do one or
17 the other, and that would be great.

18 THE COURT: And here's the benefit.
19 Every person we can get off the street -- is --

20 MS. MYERS: Agreed.

21 THE COURT: And what I'm worried about is
22 that -- such a good job getting these that they're still
23 sitting there. I mean, as fast as we get those pallets
24 up, they're still sitting there.

25 MS. MYERS: Yeah.

1 MS. MARTINEZ: I think we can do both
2 things. So as of tomorrow we get pallets and -- Los
3 Angeles. Is that a fair statement?

4 MS. MILLER: So two to three weeks is a
5 very aggressive timeline for setting up a safe parking
6 program. We have to contract with someone to provide
7 the services. We have to get security. We have to get
8 the porta-potty. It's not -- I just -- I mean -- I
9 would defer to --

10 MS. MARTINEZ: That's why I said 15 days
11 is --

12 MS. MILLER: Yeah.

13 MS. MARTINEZ: So you believe you can get
14 this done in 15 days.

15 MS. MARSTON: It would be really tough to
16 do within 15 days.

17 MS. MILLER: I would just say, if you
18 want to do it safely, that's how long it would take. If
19 you want to just open up the lot and say here you go
20 RVs, that's a totally different story. We could do
21 that. We could do that today, but that's not --

22 JUDGE BIROTTE: -- is going to get upset,
23 but we just done it without -- is there potential
24 liability by just opening it up?

25 MR. MARCUS: At the Los Angeles site?

1 JUDGE BIROTTE: Yeah.

2 MR. MARCUS: No, that's the site that
3 we're vetting.

4 JUDGE BIROTTE: No, no --

5 MR. MARCUS: We're talking about setting
6 up the services, putting in a new sewer line, things
7 like that to support the people who are going to be
8 living there.

9 JUDGE BIROTTE: Oh, okay.

10 MS. MILLER: Security guards, that's what
11 makes it safe.

12 MR. MARCUS: If you just want to open up
13 an unfenced parking lot and let people sleep there, I
14 mean, you could do that. Again, I fear I'm going to get
15 sued by someone who --

16 JUDGE BIROTTE: Right. That's my point.
17 That's what I'm saying. Are you --

18 MR. MARCUS: Yeah. If we don't have the
19 security, if we don't have the provider resources, then
20 yes, we're opening up the city to more liability. And
21 that's the whole point of this process is to avoid that
22 liability. That's why unfortunately it takes time to do
23 it the right way.

24 JUDGE BIROTTE: Right.

25 MR. YOUNG: I from my own personal -- I'd

1 just be curious to hear kind of what is part of that 15-
2 day process. So I think we all would benefit from kind
3 of -- what is actually needed to do so we can all
4 appreciate kind of how quickly the time limit is. I
5 don't know if Christina or Heidi --

6 MS. MILLER: I mean, I don't know if you
7 want to --

8 MS. MARTINEZ: -- process for safe
9 parking out --

10 MR. YOUNG: To set it up and why it's 15
11 days.

12 MS. MARSTON: Yeah. So generally, yeah,
13 in this case we would have the site secured. So that's
14 done. We would need to contract the provider to make
15 sure they have services. So finding the capacity, we
16 would need to contract the security and make sure they
17 get on-site. Make sure the site's ready with sewer
18 lines and all of the --

19 MS. MARTINEZ: Don't you guys have
20 contractors -- and providers?

21 MS. MARSTON: We do, but it's site by
22 site. Our procurement, the way that our procurement is
23 structured requires us to do individual contracts.

24 MS. MARTINEZ: Okay, got it.

25 THE COURT: And why -- I mean, I love the

1 fact that we actually -- I love the permanency of that,
2 whether it's recreational vehicles or people. But in
3 the meantime -- how long does that take? I mean, I
4 worry about that type of infrastructure, holding up just
5 getting people into shelter where I could put a couple
6 toilets down there and get a couple sanitation stations,
7 which is better than 99 percent.

8 And just doing those simple things I
9 don't want to have a delay. And then we could move the
10 commodes out and put the sanitation stations back to
11 where -- we're going to -- we used -- in fact, we would
12 take them off of some places that we put them into,
13 right.

14 MS. MARSTON: As a frame of reference for
15 normal sites when -- from the time that we award a
16 contract to the time it's set up, we give the providers
17 a 90-day period to get it going. It can be condensed
18 because we have some of the things solved for already,
19 but they're trying to solve in that 90-day period. But
20 30 days would be probably the fastest.

21 MS. MILLER: Two to three weeks is very
22 aggressive, and we're committed to making that happen.

23 MS. MARTINEZ: -- takes 30 days -- wasn't
24 in agreement, but -- so I know it takes 30 days --
25 didn't have to tell me that. I know. So that's what it

1 takes, I know. So --

2 MR. YOUNG: Just another thing we need to
3 be considerate of is at the same time this is going on
4 there is a massive scale-up --

5 THE COURT: I'm sorry. I can't hear you.

6 MR. YOUNG: There's a massive scale-up,
7 project -- which requires service providers, too.

8 THE COURT: So.

9 MR. YOUNG: So there is capacity. So the
10 fact that we're even hearing 15 days, I think it's
11 remarkable, just based on what I'm hearing. So I
12 just --

13 MS. MARSTON: In the last 15 days we put
14 more than 1,000 people in hotels, and we're continuing
15 that phase, so --

16 THE COURT: -- one more -- right?

17 MS. MARSTON: Yeah.

18 THE COURT: Okay. I also want -- we got
19 50 pop-up tents out there doing nothing.

20 MS. MARTINEZ: So, Judge, this area --
21 are we -- we're going remain status quo on 16th and
22 Maple and -- to provide that Los Angeles site with all
23 the resources that it needs to get it up and running.
24 Is that what you're thinking?

25 MR. MARCUS: Yes.

1 MS. MARTINEZ: So are we okay with that
2 process? It's going to take the 30 days to get this
3 online. Are we okay with that?

4 MS. MYERS: Yes. And I would -- we are
5 also cognizant of the Project Room Key issue. And I
6 think from our perspective we are more concerned about
7 that in this particular moment is the real crisis that
8 unhoused people are facing now. I mean, and I
9 understand the desire to move both forward, and I really
10 appreciate Your Honors doing that --

11 THE COURT: No, no, there's something
12 different about -- Project Room Key necessarily isn't a
13 purchase. Sometimes it's a lease.

14 MS. MYERS: Sure.

15 THE COURT: So when that lease runs
16 out -- you see what's being presented here is property
17 already owned --

18 MS. MYERS: Sure.

19 THE COURT: -- tents already acquired.
20 This represents --

21 MS. MYERS: Sure.

22 THE COURT: This is like purchasing a
23 hotel. And so that's why this is so valuable.

24 MS. MYERS: Yes. But my whole point is
25 just if it's -- if we were not in a pandemic and we

1 would absolutely be yelling that they should do it in
2 three days or five days or whatever. But I would
3 prefer, and I think it's fair to say we would prefer
4 that they not divert resources from Project Room Key to
5 stand this up right now.

6 THE COURT: I agree.

7 MS. MARSTON: Yeah. Okay.

8 THE COURT: You have to take priority --

9 MS. MARSTON: Yeah. Okay.

10 MS. MARTINEZ: So the agreement is 30
11 days. We remain status quo on Maple and 16th. And get
12 through the 30 days -- to get everything operational.

13 THE COURT: And you can check with the
14 hazardous -- if that's the case, it's not going to
15 remain status quo on 16th and Maple. It's remaining
16 status quo on 16th Street.

17 MS. MARSTON: Yeah.

18 THE COURT: Because they're still parked
19 on 16th Street. And what we're exploring is 16th and
20 Maple, which you represented you've got enough parking
21 for recreational -- we got to check for hazardous --
22 right? And so we want them to be open at the same time.
23 And then we can open up more safe parking.

24 MS. MARTINEZ: Yes. That's what they
25 just agreed upon.

1 THE COURT: And also give ourselves the
2 option, please, of if we can get the 16th and Maple up
3 operating for recreational vehicles. If you have the
4 ability to switch that site if you choose to -- pallet
5 homes. Fair enough? If we have that flexibility, then
6 that's 50 more people that we didn't have before to 100
7 people. So we're dealt with --

8 MS. MILLER: Yeah. I would also just add
9 we are continuing to look for additional sites for the
10 pallet shelters. We're not even waiting on 16th and
11 Maple or this. We're continuing to look for additional
12 places to place the pallet shelters as well, because we
13 don't want to wait sequentially. We're pushing multiple
14 streams at the same time.

15 MS. MARTINEZ: So we're all on the same
16 page, is it possible for us to get a status update on
17 what's going to happen at 16th and Maple as soon as you
18 all -- the issues in regards to The Court and what those
19 next steps are? If you can provide that to us in a
20 timely fashion -- look like, if it's a week or two
21 weeks, and then at the same time provide also a status
22 report on your progress in ensuring that safe parking so
23 that we open up in those 30 days. And give a notice to
24 those, you know, that can move to that site.

25 MR. MARCUS: Yes.

1 THE COURT: Okay.

2 MS. MARTINEZ: I would also ask for a
3 status report to give to The Court.

4 THE COURT: Excellent. That's just what
5 we need to start breaking -- and hopefully we can get
6 that additional 50 people to 100 people off the street
7 and get those pallets used as we explore 16th and Maple.
8 And then maybe we can -- to that location and get human
9 beings up to Los Angeles Street because they're going to
10 be closer to services also that doesn't get quite -- it
11 doesn't interfere -- then I need to talk to Marcus --
12 because we need to talk to Mike about how we're going to
13 set this up.

14 Because we're going to be going district
15 by district. This is going to be absolutely
16 backbreaking and -- whether we start with Mike Bonin,
17 Gil Cedillo, Paul, or whoever, this is going to require
18 time. We have no idea -- the city deserves that time,
19 okay. Okay. Andre, I'm going to turn it back to you.

20 JUDGE BIROTTE: I think I'm done. I
21 mean, I'll probably have conversations with one or more
22 of you in a couple days.

23 THE COURT: Carol, are you on the line?
24 I'll turn it back to you for a moment.

25 MS. SOBEL: Yes. I'm here.

1 THE COURT: Yeah, I'll turn it back to
2 you. Because I'm going to conclude it today and get
3 folks back to work because we've got a city out there to
4 negotiate with the county or something.

5 MS. SOBEL: I'm going to reserve any
6 further comments for the time being.

7 JUDGE BIROTTE: Shocking, Carol.

8 THE COURT: Okay. All of you watch
9 out --

10 MS. SOBEL: That's right.

11 JUDGE BIROTTE: The calm before the
12 storm.

13 THE COURT: Yeah. Jimmy, do you have
14 anything --

15 JUDGE SMITH: I'm good. I'd like to
16 speak with you --

17 THE COURT: Before we conclude I'm going
18 to do that right now -- Michele, would you join me --

19 MS. MARTINEZ: Yes.

20 [Judge took a 7-minute recess]

21 THE COURT: Okay. Every court needs a
22 trigger date. So if we were in litigation right now,
23 Judge Birotte and I would always have a trigger date.
24 So we're going to arrange -- if within 48 hours you can
25 get that information about the ability to adapt to my, I

1 call it pop-ups, but -- and if I can have an update next
2 Thursday because I'm not inclined to hold another
3 general meeting like this. We're going to start working
4 simultaneously after we discuss this with you and Mike
5 and councilmembers.

6 So you're going to see us start working
7 with a lot of different people in this period of time.
8 But I don't -- all back together if in this setting
9 unless something occurs. Is that -- for you, Christina,
10 48 hours?

11 MS. MILLER: What we'd like to agree to,
12 sir, is if in 48 hours we can find a site for pallet
13 shelters, we would be happy to bring that back. We
14 don't want to rob Peter to pay Paul. Let's leave the RV
15 safe parking program that we are working on, on the
16 South Los Angeles site. Let's find another lot to put
17 the pallet shelters and continuing to consider 16th and
18 Maple if that is the site that is -- working on as well.
19 We'll work with that.

20 MS. MARTINEZ: We want the 48 hours as
21 well -- establish report on the condition of the 16th
22 side from -- perspective, can we keep RVs there, or can
23 we put pallet homes there. We want an answer in 48
24 hours.

25 MR. MARCUS: We can certainly give an

1 update in 48 hours. I don't know that we're going to
2 have an answer to the testing --

3 THE COURT: Okay. How long?

4 MR. MARCUS: The testing takes weeks.

5 THE COURT: A week --

6 MR. MARCUS: No, no, weeks, weeks, seven
7 weeks is the usual amount of time.

8 THE COURT: But we're not in usual times.

9 MR. MARCUS: No, I understand, but again,
10 there are state restrictions that have not been lifted
11 by the governor that we still have to adhere to.

12 MS. MILLER: Your Honor, the site used to
13 be a storage for chemicals, right. So we need to make
14 sure it's safe for people. That's what we're -- that's
15 what we are trying to do.

16 MR. MARCUS: Or else, again, we're
17 opening up the city to more liability.

18 THE COURT: So 48 hours is acceptable for
19 your standpoint -- and maybe for the initial --

20 MS. MILLER: Right. Yeah.

21 THE COURT: So we're all agreed on Los
22 Angeles -- hopefully we got the adaptability to use it
23 eventually for a pallet site -- on 16th -- so we're
24 going to move, Marcus, in some timeframe on this 16th
25 and Maple to find out its usability.

1 MR. MARCUS: Yes. We're not backing off
2 the site.

3 THE COURT: No, I understand.

4 MR. MARCUS: And I can update The Court
5 as we proceed with it. We can certainly keep The Court
6 and the parties updated.

7 THE COURT: Okay.

8 MS. MARTINEZ: I think the plaintiffs
9 want the status report. Am I correct? So on a weekly
10 basis can you try to keep us informed in real-time --

11 MR. MARCUS: Yes.

12 THE COURT: Okay -- okay. Now, if we're
13 working with each councilperson -- are you assembling
14 or --

15 MR. UMHOFFER: Your Honor, my sense is
16 that there's going to be -- whatever -- and then I think
17 it makes sense starting with an overall structure and
18 then descending in the details of --

19 THE COURT: Okay. But I want to start
20 talking to some of the council people specifically about
21 what safe parking -- if they've got an expansion or how
22 much -- what's their need. How would that look in terms
23 of gee, I want to go, but I don't want to go. And how
24 that would work in terms of the -- what does that mean.
25 Does it mean eventually -- I mean, we went through that

1 discussion with Carol. It was really an educational
2 process. So I've got to have some time to where we make
3 a mistake, to back up and get it right. Because we're
4 all on a jury here, and the courts don't have the
5 answer. We've got to learn with you.

6 So we're going to start, probably I would
7 say -- I've got a Friday meeting with -- the city. I
8 want to be starting as early as Monday or even the
9 weekend with some of these folks, talking to them
10 formally. Maybe the best thing I can do is start
11 talking to some of the council people formally, one on
12 one again. How do we get to the beginning of what your
13 thoughts are --

14 MR. UMHOFFER: And we can -- we'll circle
15 up and do that before the --

16 THE COURT: And the -- one size doesn't
17 fit all. So if there's eventually an agreement
18 citywide, it's got to be extraordinary --

19 MR. UMHOFFER: Yes.

20 THE COURT: Unfortunately extraordinarily
21 involved. And then it's district by district
22 implementation because, trust me -- assistant doesn't
23 like anything less -- you will never get a settlement if
24 it's by -- number two, you've got to treat these
25 districts like separate cities almost. Because

1 otherwise you're never going to have them agree.
2 They're just -- it's a wonderful mosaic -- and in
3 recognizing that your local council people really do --
4 we've got to pay attention.

5 So this may not look anything like --
6 district or it looks like Marqueece's district. So
7 there should be a lot of you performing here, do you
8 understand that, to move this forward. And that's why
9 this is -- this is just too big. But you could have --
10 district by district. I didn't -- you get three or four
11 federal judges involved -- this doesn't have to be
12 just -- you get a lot of people involved in this.

13 So I think we'll try to change our
14 perspective and get out in front. Because you're going
15 to come to us anyway. Do you understand that? You're
16 going to come back to our court for litigation unless
17 we're somewhat active and give you some points on the
18 front side. And that's tipping it over. That's a
19 different way of --

20 MS. MILLER: Your Honor, if I may, to
21 your point about each district being different and the
22 homeless numbers are different in each one, I would just
23 urge The Court to really think about using the data that
24 we have through the Los Angeles Homeless Services
25 Authority to drive any decision making around right

1 sizing the interventions for each district. Because
2 we --

3 THE COURT: -- I agree with you --

4 MS. MARTINEZ: It can be -- district.

5 MS. MILLER: That's right. And just --

6 MS. MARTINEZ: -- the one thing that I
7 want -- there's a difference between theory and
8 practical, right.

9 MS. MILLER: Yeah.

10 MS. MARTINEZ: And elected officials want
11 practical. The area -- sometimes that's -- down to
12 natural -- and we understand -- I think it's going to
13 be imperative to look at that, but more importantly on
14 the plaintiff's side, your guys -- coming together and
15 formalizing your framework to then work with all of us,
16 with The Court and the district council issues. So I
17 think you guys have some work to do. And you guys are
18 going to have disagreements, right, obviously. So I
19 think it's important for you all to schedule some time
20 to figure out some of your key points and how we're
21 going to move forward to ultimately moving toward the
22 settlement --

23 MS. MILLER: And, Counsels, if I could
24 just clarify. I'm not saying theoretical data. I mean,
25 there's hundreds of programs, nonprofits that their

1 information is in the homeless management information
2 system. They know how to make contacts with people,
3 their housing status, demographics, so very much on the
4 ground practical data. Yeah.

5 MR. UMHOFFER: The only other thing I'd
6 mention, we obviously did something wonderful for the
7 city this morning, and the other big player here
8 obviously is the county. We'd obviously like the county
9 to be involved with some discussions --

10 MR. YOUNG: Of course. Of course.

11 MR. UMHOFFER: I know that you guys are on
12 a different schedule.

13 MR. YOUNG: Right.

14 MR. UMHOFFER: But we're prepared to work
15 with county on this.

16 THE COURT: I think the city would
17 appreciate very much knowing that the county is --

18 MS. MARTINEZ: Well, I had Andre --

19 JUDGE BIROTTE: Both sides need each
20 other.

21 MS. MARTINEZ: Yes.

22 JUDGE BIROTTE: And there are resources
23 that are available that only the county can provide. So
24 it makes sense for them to be in the room together.

25 MR. MARCUS: I would go as far to say the

1 county is a necessary party to --

2 JUDGE BIROTTE: Right, yeah.

3 MR. MARCUS: -- any settlement that the
4 city's going to be a part of because we have our part to
5 do, and the county has its part to do. And we need to
6 make sure that we're in sync.

7 JUDGE BIROTTE: Right.

8 MR. MARCUS: That we're building things
9 that they can provide services for.

10 MS. MARTINEZ: So when we met with the
11 county they provided presentation. We made it very
12 clear that we cannot scale the City of Los Angeles
13 homeless problem without the county being in the
14 forefront and leading this effort with -- to provide the
15 services that are needed in each of the council
16 districts. So we made that very clear to not only the
17 county staff and the council, but also to each
18 supervisor that we've spoken to. So I think we're in
19 alignment.

20 MR. MARCUS: Agrees, yes.

21 MS. MARTINEZ: We cannot solve LA's
22 problem without the county getting onboard.

23 MR. MARCUS: Agreed.

24 THE COURT: And how they do once again
25 gets very interesting. Are they going to follow the

1 model of the Los Angeles City Council just -- we'll lead
2 with that.

3 MR. YOUNG: Yeah. There's -- we are here
4 to seek a resolution, try to be as productive and
5 cooperative --

6 THE COURT: We need the structure, and
7 once again the county is so large. So I'll just leave
8 it on the table. You're really a good attorney. I'm
9 kind of waiting.

10 MR. YOUNG: Understood.

11 THE COURT: Okay.

12 MS. MARTINEZ: And the reality is, to
13 help the City of Los Angeles, the county has to step up
14 to help the independent cities, the other eight, seven
15 cities in the county, right. That is what you need --
16 you cannot have, you know, just the City of LA scale --
17 solve its problem and the rest of the cities not step
18 up, right. That's important. The only way that's going
19 to happen is with the County of Los Angeles as the board
20 supervisors represent a lot of those cities.

21 MR. MARCUS: Well, but it's also going to
22 require those cities themselves to do things that the
23 county may or may not be in a position to order them to
24 do, which is why they may become necessary parties to an
25 agreement as well. And we saw from Whittier that

1 there's some --

2 MS. MARTINEZ: And as you know, we met
3 with Whittier and Bellflower to -- so we knew that early
4 on and why we were able to bring those other cities
5 onboard.

6 THE COURT: There are other cities
7 sitting there waiting that are literally too small, with
8 too small a budget with a homeless problem. And next
9 door is another small city with a homeless problem. But
10 those smaller cities don't have the finances to build up
11 a shelter and then get providers.

12 So the problem becomes what you heard
13 today. Four cities get together, but one city decides
14 to take the shelter. The other three cities are very
15 happy about that. The one city who stepped down is
16 responsible to take the shelter -- the constituents say
17 why are you taking our shelter.

18 Well, it's hard for your councilperson
19 then to explain to their constituents in that one city
20 why they took the shelter from three other cities. It's
21 because they needed the money and they decided fairly
22 that was it. But I promise you there are numerous
23 cities out there not only ready to sell it, to get it
24 together if they have the financing.

25 And that's what happened with the

1 governor with the big revenue cities that are at the
2 table -- but your local cities are more apt to solve
3 this homeless problem and more willing to do so
4 actually. They just don't have enough financing to do
5 it. So you've got readymade capability here on the
6 county's side willing to step up. And you're kind of
7 waiting till next Tuesday --

8 MR. YOUNG: And if I may, this is -- I
9 completely agree. And this is a crucial part of any
10 settlement because there are supervisors that don't
11 really represent the City of Los Angeles that are going
12 to have to work, you know, work and deal with these
13 issues. And our concern is, you know, with each city.
14 And that is where our view is. And we're hopeful that
15 in working with the City of Los Angeles and the
16 plaintiffs here, perhaps there's a template.

17 THE COURT: Well, you've got no reason to
18 delay as far as the county is concerned.

19 MR. YOUNG: That -- right.

20 THE COURT: -- property -- the County of
21 Orange and a huge section of Orange County -- quite
22 frankly, and that was a tremendous -- so there's no
23 reason --

24 MR. YOUNG: That is correct, yeah.
25 There's no disagreement.

1 THE COURT: Okay -- yeah.

2 MS. MITCHELL: On the status reports, so
3 we would ask for a status report by both the city and
4 the county on a weekly basis on the numbers of people
5 not only on the pop-up shelters, on the RVs, but also on
6 the numbers of people we have in hotels, what the end
7 dates, if any -- and leases --

8 THE COURT: Well, can you --

9 MS. MITCHELL: Sure. Sure.

10 THE COURT: Because I really want to get
11 together with Marcus and Mike.

12 MS. MARTINEZ: And we'll get those to
13 you.

14 THE COURT: Yeah. Okay. And let me see
15 whether I want to incorporate that. Right now I would
16 think that there's no use for us to get together -- next
17 week, but some of us may be getting together as early as
18 next week maybe a couple hours just to figure that out.
19 Because I really want to talk to Mike and see what his
20 thoughts are, okay. I also want to continue to talk to
21 the council people individually -- really concerned, not
22 about -- I'm concerned about the -- times a crisis -- I
23 think we should be honored. And quite frankly some of
24 the -- I know -- I'm happy to take the hit on some of
25 this to get it done. There's just too many people out

1 there -- because we have so much entangled over the
2 years, maybe this is the chance --

3 MS. MITCHELL: And, Your Honor, during
4 emergencies there are broad -- discretionary actions --

5 THE COURT: I'm not worried about that.
6 Trust me. At my age -- two years to ten years --

7 MR. MARCUS: Thank you.

8 THE COURT: Yeah. I'm happy to make that
9 decision. I'm happy to let the state come and complain
10 to me. Trust me, they won't as long as we're getting
11 people off the street.

12 MS. MITCHELL: That's right.

13 THE COURT: -- is helpful to come down
14 here -- about that. So I'm happy to assume that
15 responsibility. I know, Marcus, that would give you a
16 heart attack, and that's fine. I'm not --

17 MR. MARCUS: Again, I can't open the city
18 to liability for people not in this room suing under
19 state law.

20 THE COURT: They can if I order it --
21 blame it on the judge. All right.

22 MS. MITCHELL: Thank you, Your Honor.

23 MR. MARCUS: Thank you.

24 THE COURT: -- settlement -- thank you,
25 very much.

1 COURT REPORTER: The time is 12:55 p.m.

2 We are off the record.

3 (Whereupon, at 12:55 p.m., the proceeding
4 was concluded.)

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CERTIFICATE OF NOTARY PUBLIC

I, AUSTIN CHE, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



AUSTIN CHE

Notary Public in and for the
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I, LORIE COOK, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

A handwritten signature in black ink that reads "Lorie A. Cook". The signature is written in a cursive, flowing style.

LORIE COOK

[action - apt]

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